

THE
ASIATIC
ANNUAL REGISTER,
OR,
A VIEW OF THE HISTORY
OF
HINDUSTAN.
AND OF THE
POLITICS, COMMERCE AND LITERATURE
OF
ASIA,
For the Year 1800.



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P R E F A C E.

THE manner in which our first volume has been received by the Public, whilst it forbids us to recur to it, except to signify our thanks, gives us reason to hope, that as the present volume has been composed with no less diligence, it may afford as much satisfaction.

Experience has confirmed our opinion of the convenience, as well as utility of the general plan of the REGISTER; but, in

one or two of the departments, some alterations have been introduced, which it seems proper to explain. Finding, as we proceeded in our investigation of the HISTORY of BRITISH INDIA, that it necessarily embraced the views and interests of various Nations, we thought it requisite to take up more extensive grounds, and, instead of confining ourselves to an Historical Memoir of the British Possessions in Hindustan, to give a GENERAL HISTORY of the Connection between that Empire, and the different European Powers that formed settlements in it. We have accordingly altered the title of our History; and have, in our second Chapter, taken a view of the Rise, Progress and Decline of the Portuguese Establishments in India.

In the arrangement of the CHRONICLE, we have made some alterations, of which

those who are interested in that department will, we trust, approve. (The different articles of intelligence have been either abridged, or detailed, as the subjects of them appeared to us to require, and regularly inserted according to the order of time: And the Gentlemen belonging to the Company's Civil and Military Establishments will observe, that we have attended to their suggestions, in regard to the ANNUAL LIST OF PROMOTIONS.

The other departments of the Work have been executed in the same manner as in our last volume; but the MISCELLANEOUS TRACTS will be found to contain a greater variety of original matter.

With respect to the lateness of the publication of this volume, we solicit the indulgence of the Public. It was owing,

in the first instance, to the dispute between the Journeymen Printers and their Masters; and the occurrence of some unforeseen circumstances occasioned a still farther delay.

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Shewing the Itinerarian Distances, in British Miles, between some of the most remarkable Places of HINDUSTAN.

EXPLANATION										Agra	
From Agra to Trichinopoly - 1406 $\frac{1}{2}$ Miles.										Benares	380
Calcutta to Seringapatam 1220 $\frac{1}{2}$ Miles.										Bidjegur	56 436
										Bombay	950 984 850
										Calcutta	1300 621 565 950
										Delhi	1060 965 556 500 115
										Hyderabad	900 1020 480 664 745 830
										Madras	365 1350 1030 770 1029 1110 1190
										Oude, or Fyzabad	1170 810 360 695 1085 186 130 220
										Patna	235 1267 900 660 400 1140 196 155 545
										Poonah	1067 950 670 387 915 1200 98 898 930 796
										Seringapatam	525 1215 1230 290 315 1130 1220 620 1213 1170 1215
										Surat	702 245 1020 880 930 565 756 1310 177 837 905 680
										Trichinopoly	927 225 750 1481 1275 208 540 1473 1240 845 1230 1286 1466

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THE
HISTORY OF INDIA.

CHAP. II.

*A View of the Commercial Intercourse between India and Europe,
previous to the Discovery of the Passage by the Cape of Good Hope.*

COMPREHENDING

*An Account of the first Introduction of Mahomedanism, Christianity, and Jewism, among the
Nair States of Malabar—the Trade carried on with India by the Genoese and Venetians—the opening of the Navigation along the Western Coasts of Africa by the Portuguese—the Voyage of Vasquez de Gama—the Conquests of Albuquerque—the Rise and Progress of the Portuguese Establishments in India, and the Causes of their Declension and Fall.*

IN our first chapter we took a general view of the state of ancient India, of the religious principles, the civil institutions, the arts, sciences, and literature of the Hindu people: we likewise illustrated some parts of their early history, and gave a brief narrative of the conquests of the Mussulmans, from the invasion of Hindustân to the death of the emperor Akbar. We shall now proceed to consider this vast empire more particularly in a commercial point of view, and to give an account of its intercourse with the nations of Europe.

We have already made some observations on the commerce that

sustisted between Ancient India and Syria, Egypt and Persia, and described, in general terms, the channels through which it was carried on, as well as the modes by which it was conducted. The inland trade with Persia, though frequently suspended in consequence of the fanaticism of the Mussulmans, and the irruptions of the Tartars, has, nevertheless, survived the storms by which it was assailed during a long course of ages, and is still in a flourishing condition. The ancient trade with Syria decayed with the drooping spirit of its people, and was finally buried under the ruins of Palmyra, about two hundred

years after the conquest of that celebrated city, and the subjugation of the Syrian empire by the Roman emperor Aurelian. The commercial intercourse with Egypt, first firmly established and rendered extensive and important, by the enlightened schemes and adventurous policy of Alexander, was pursued on the same liberal principles, but with far superior advantages during the dynasty of the Ptolomies. On the conquest of that country by the Romans under Augustus, the Indian trade fell into their hands. The valuable commodities of the East, which they so highly prized, they had long received through circuitous channels, and being now possessed of the emporium whence those commodities were distributed among the surrounding nations, they infused into commerce their characteristic spirit. Under the auspicious influence of the Romans, this trade increased with a rapidity correspondent to the ardour with which it was carried on: and the improvements in the arts of ship-building and navigation to which that ardour gave birth, together with the discovery of the variations in the periodical winds, greatly facilitated the intercourse between the two countries, and not only rendered the voyages to India less precarious, but more expeditious. Hence the navigators employed in the India trade became confident in their skill, and forsaking the common track along the coast of Arabia Felix, they hazarded a bolder navigation, and at once directed their course from the straits of Babelmandel, across the ocean, to the coasts of Guzerat and Malabar.

Hippalus, the commander of a trading vessel, had the merit of exploring this new route, and it was justly considered of so much importance, that his name was used to distinguish the particular wind which had enabled him to accomplish it.

From this period, until the decay of the western empire, the commerce with India through this channel was pursued with increasing activity and uninterrupted success. A fleet, consisting of 120 vessels, sailed annually from Myos-hormos, a port of Egypt on the Red Sea, to the ports of Mufiris and Borace* on the coast of Malabar, and from thence again to the island of Ceylon, which was the usual term of their navigation, and which therefore became one of the principal marts in the East. To this mart, therefore, the merchants of Bengal, of Orissa, of the Carnatic, and of the eastern islands, brought their fine cloths, and their other costly commodities, the manufacture and produce of Hindustan and of China, where they disposed of them to great advantage, in exchange for silver and gold, which, on the side of the Romans, were the chief instruments of commerce†. In the months of December or January the Roman fleets sailed from Ceylon, on their return to Egypt, laden with the silks and muslins, the spices and aromatics, the pearls and precious stones of India. At Myos-hormos its valuable cargo was landed, and transported on camels to Coptos, whence it was conveyed in boats, down the Nile, to Alexandria.

Thus, it appears, the commercial intercourse between Rome and India

* Mufiris and Borace, so named by Strabo and Pliny, appear to us to be the ports of Meersee and Barclore, as these places answer the descriptions given by those writers, more exactly than any other towns situated on the coast of Malabar.

† See Gibbon's *Decline and Fall of the Roman Empire*, Vol. I. p. 89. It is compared by Pliny, that a sum equal to 800,000*l.* sterling was sent annually from Rome to purchase Indian commodities.

dia was extensive and splendid; though the profits arising from it were certainly in favour of the latter nation. For, as the Romans gave nothing but specie in exchange for articles of mere luxury, and as that specie could never flow back to them through any other channel, it follows as a necessary consequence, that this trade must in some degree have operated as a drain on the national resources. At the same time it would appear, from a variety of circumstances stated by Pliny, that the general wealth of the empire sustained little diminution from this branch of commerce. And though it might have contributed to accelerate the progress of corruption among a degenerate people, yet, in a philosophical point of view, it was ultimately productive of considerable benefit to mankind. Amidst the rude ignorance which characterized the middle ages in Europe, the commerce with India served to soften and instruct those nations who participated in it: and in modern times it fostered that spirit of enterprise, which was destined to render navigation subservient to philosophy and to knowledge, by making the inhabitants of far distant countries acquainted with each other, and by familiarizing their minds to the various habits and customs that diversify human life.

On the removal of the seat of the imperial government from Rome to Constantinople, and the consequent decline of the Western empire, the trade with India, by the Red Sea and Egypt, appears to have lost much of that industrious spirit with which it was wont to be animated, and thereby to have sustained a considerable diminution. This decay of the Egyptian trade was not

owing to the Roman people having lost their taste for the luxuries of the East, it arose in a great degree from that plethoric opulence with which the merchants of Alexandria sunk into idleness, and which ultimately rendered them incapable of bestowing on business that industry and attention by which the affairs of commerce can alone be carried on or preserved. At the very time, too, when this dereliction of commercial spirit began to shew itself among the Egyptians, the Arabian traders, who had long rivalled them in the art of navigation, received a new impulse to their enterprising genius, from being converted to the Mahomedan faith. One of the leading principles of that religion instructs its votaries to propagate its doctrines with an ardour proportioned to their hopes of salvation, and by every means which either the wisdom or wickedness of man can devise. Hence arose that enthusiasm by which the Arabs were instigated to the prosecution of the Indian trade, a trade, which at once held out to them the prospect of increasing their wealth, and of promulgating their religion. They accordingly fitted out, every year, several squadrons of trading vessels, well equipped and manned, which they employed, exclusively, in the commerce with India, and having gained the friendship of the Hindu princes of Malabar, not less by their love of trade, than their conciliating manners, they obtained permission from them to settle, in the capacity of merchants, at some of their sea-port towns. The Zamorin, Rajah of Calicut, in particular, greatly favoured their views, and is indeed represented by some of the Mussulman historians*, as having

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himself

* See the Keruloodputtee, Zeyredin Mukhdum, Khondamir, and the Tokuffut-ul-Mujahed.

himself become a profelitte to the religion of the *fathful*. They also relate, that the Zamorin had been prevailed on by the Dervishes, who accompanied the Arab merchants to Malabar, to return with them to Mecca, and to offer up his prayers and thanksgivings at the foot of the Caaba. On his return from Mecca he died, and is said to have left letters addressed to the Nairs, zealously recommending them to adopt the faith of Islam*.

It were both foreign to our purpose, and little becoming the dignity of history, to investigate this tale, and to ascertain the exact degree of credibility to which it may be entitled. It is sufficient to observe, that to suppose a Hindu Prince to have abjured his own religion, is utterly repugnant to the uniform character of his cast, and totally inconsistent with that rigid adherence to their faith for which the higher ranks among the Hindus have been in all ages distinguished, and, as this solitary instance of a Hindu Prince having been converted to the Mahomedan religion, is supported wholly on the testimony of Mussulman writers, in opposition to the unvaried evidence of ancient history, as well as to the experience of modern times, we are forced to reject it as a fabrication, which it suited the zeal and the views of the Moslems to invent.

It is however certain, that, if the Arabian Dervishes did not receive such powerful encouragement, they at least experienced not the smallest interruption in their eudea-

voirs to establish the Mahomedan religion among the Malabar states. As cautious of offending the religious prejudices of the Hindus, as they were zealous in propagating their own, they forwarded their pious views, by the subtle prudence with which they concealed them, no less than by the fervid solicitude which inspirited their cause. Thus, by the good policy of the Arabs, together with the protection they received, their trade continued to increase, and they amassed riches with a proportionate celerity. Conscious, therefore, of their own estimation, and encouraged by the tolerating principles of the Hindu religion, they built a mosque at Coorgalore, in the 21st year of the Hegira (A. D. 642,) whether the Dervishes repaired, and for some time fixed their chief residence. As their wealth accumulated, they erected mosques in different parts of Malabar, till, in the course of a century, having made several thousand converts to the Mahomedan faith, from the outcast Hindus†, they began, in a political point of view, to attract the attention, and to excite the jealousy of the Rajahs of the different states by which they were surrounded, and the discontent of these Princes at the growing power of the Mussulman merchants, was secretly fed and fomented by the Christians and Jews, who had been long settled in Malabar, and whose antipathy to the Mussulmans arose equally from mercantile rivalry and religious rancour. Nevertheless, the Zamorin still afforded them

* This story is likewise not seen by the accurate Baldæus, but, he adds, that it was related to him by the *Mussulmans of Malabar*.

† The Mahomedans, who first settled in Malabar, propagated their doctrines with a fervid but mild policy, very uncommon in the history of the progress of any religious system, much more in that of their own, but, if their zeal was restrained and moderated by their prudence, it was supplied by their ingenuity. They left no art untried to proselytize the Hindus, and many of the converts they made, were the children of the poorer class, whom they had purchased, or by some secret means procured from their parents.

them his protection; and, in spite of the enemies, whom their prosperity had raised against them, they continued to disseminate their doctrines, and to extend their commerce.

The mild manners of the Hindus, which the tolerant spirit of the Brahminical system in a great measure contributed to form, were well calculated to allure, not only the zealous of the Christian and Mahomedan faith, but also many thousands of miserable people from the more northern countries of Asia, whom the persecution of those zealous had driven from their native soils. Hence the empire of Hindustân, from the close of the eighth century of the Christian æra to the present day, has exhibited the singular spectacle of all the various worshipers known among the civilized part of mankind, existing at the same time in the same country*.

Of the introduction of Mahomedanism into Hindustân, as well as of the manner in which it was propagated in the states of Malabar, we have given a succinct account. We shall now point out the channels through which Christianity and Judaism were communicated to the nations of the Indian peninsula.

Some superficial writers, and particularly Vieffière la Broze†, have altogether rejected the account of the Apostle St. Thomas having

preached the gospel in India: With a rash and stupid ignorance they have confounded the fables of the Romish missionaries, in regard to the miracles he performed, with the real history of his life and martyrdom, as related not only by an accurate historian, and an intelligent traveller, but also by the learned Eusebius, who has minutely investigated the subject, and confirmed the truth of their narratives‡.

But it is no way necessary to connect the absurd tales of the missionaries, with those accounts of the Apostle, which have been handed down to us by tradition, as well as by the most respectable historians, all of whom concur in asserting, that St. Thomas travelled into the "eastern countries." It appears from Socrates (Hist. Eccl.) that before the separation of the Apostles took place, they agreed to travel in contrary directions, and accordingly allotted to each other distinct portions of the known world, whether they were to convey the Christian religion. The extensive provinces of Parthia, comprehending all that tract of country which lies between the rivers Tigris and Euphrates, fell to the lot of St. Thomas, whither he therefore repaired, and from whence he is said to have travelled into India. This tradition is further confirmed by Eusebius, who relates, that St. Pantene,

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animated

* In some of the cities of Malabar may be seen (besides the native Hindu temples,) Mahomedan mosques, Jewish synagogues, and Christian churches, of the Greek, Romish, Armenian, and Protestant persuasions.

† This writer published his dissertation on the Christianity of the Indies, in A. D. 1724, at the Hague, but the many gross and palpable errors which deform and disgrace those parts of his work, respecting which we have both ample and unquestionable information, enslave him to little credit in other parts of it, wherein he endeavours to prove, that St. Thomas the Apostle never was in India, but that Christianity was introduced into that country so late as A. D. 480, by the Nestorian missionaries, who had been sent thither from their patriarchal seat at Muzul, in Mesopotamia, by Barsumas bishop of Nisibis, the celebrated teacher of the doctrine of Nestorius.

‡ Vide Socrates, Hist. Eccl. L. I. c. 20.—Cosmos Christianorum Opinio de Mundo. L. II. p. 1.7.—Collect. P. P. Græc. edit. Montaucon.—Et Euseb. Pamph. Hist. Eccl. L. III. c. 1. et L. V. c. 10.

animated by evangelical zeal, made a voyage to India in A. D. 317; that, on his arrival in that country, he found some of the natives already acquainted with the doctrines of Christianity, and that he actually discovered in their possession a copy of the Gospel of St. Matthew, written in the Hebrew language. They informed him, they had received it from St. Bartholomew, who had resided amongst them for some time. It is perfectly well ascertained, that St. Bartholomew preached the gospel in Ethiopia, and it is highly probable, that, in consequence of the alluring accounts given him of India by the Egyptian merchants, who, in their voyages from the Red Sea to Malabar, frequently touched at the ports of Ethiopia, he was induced to accompany them thither. And from all these testimonies, supported by the uniform tradition of past ages, we are authorized to conclude, that the Christian religion was introduced into India during the first and second ages of the church, and consequently above three centuries before the promulgation of the Nestorian doctrines.

The sequel of ecclesiastical history furnishes us with a curious fact, which accounts for the scepticism that has obtained in regard to St. Thomas the Apostle, as well as for his being mistaken by some writers for an impostor of the same name. After the third century of the Christian æra, it was so universally acknowledged that St. Thomas had preached the gospel in India, that the famous Manes, who gave himself out as a second Messiah, and chose his own apostles, sent one of

them to India, named *Thomas*, in order that he might be confounded with the disciple of Christ*, and it was with a view to rectify the errors to which this circumstance gave rise, among the natives of India who had been converted to Christianity, that St. Pantene went to that country.

About fifty years subsequent to the mission of St. Pantene, (A. D. 360,) St. Athanasius appointed Trumentius bishop of India, where he resided for a considerable time, and where he found the doctrines of the Christian faith, not only understood, but practised by several thousand people†.

After the time of Trumentius, we have no authentic information respecting the progress of Christianity in Hindustân. But it appears from the narrative of Cosmas, the Egyptian merchant, who had travelled through the greatest part of the Indian peninsula, that the influence, as well as the wealth of the Christians, must have increased very considerably in the course of the fifth century, for he relates, that, in A. D. 430, he found in the southern provinces of the peninsula a great many churches, several bishops, and an infinite number of monks, hermits, and other religious persons.

From this period until the introduction of the Nestorian heresy from Persia (A. D. 580), the Christians of India practised the primitive purity of their faith. But the influence which the Nestorians obtained throughout the western nations of Asia, in the course of a few centuries subsequent to that time, together with the enthusiasm which

* Voluit fortasse impostor (Thomam suum in Indiam mittendo) Christum etiam in hac parte imitari, dum Thomam apostolum ad evangelicum suum prædicandum in Indiam destinavit.—Cave, Sac. III. in Manessii 2

† See the circumstance related at great length in Sozomene, L. II. c. 24, and in Socrates, L. I. c. 29. 2

which they propagated their doctrines, produced a very considerable change amongst the followers of St. Thomas, so that when the Portuguese landed in Malabar, at the close of the fifteenth century, they found that the far greater part of the Christians settled there, were attached to the former sect, and that the only parts of the peninsula, in which the gospel was yet preached in its purity, were some places on the coast of Coromandel. Such was the introduction of Christianity into Hindustân, and such its progress prior to the æra of the Portuguese invasion. We have seen that the doctrines of the gospel were preached in Malabar, in the first ages of the church; and that the ardent industry with which it was endeavoured to insinuate them into the minds of the Hindûs, made little impression on the immemorial prejudices of that pious people, who have maintained their opinions with the like patient and unbending constancy, against the furious fanaticism of the Mahomedan, and the persevering bigotry of the Christian zealots. The proselytes which these zealots have made, by force and fraud, in a long course of ages, bear a very inconsiderable proportion to the great mass of the inhabitants. Hence, then, we may learn how to estimate the degree of folly and wickedness of attempting to supplant, even with a purer theology, any system of religious worship, which, by the inscrutable ordinations of that Being whom we profess to obey, has been established among a civilized people.

The valuable commodities of Hindustân had not only been sought for with avidity by all the commercial nations of antiquity, but had inspired them with a lively desire to open direct channels of communication with that renowned

country, as well as to visit its most celebrated marts. Among these nations the Jews had long been distinguished for their love of commerce; and though, as a nation, their speculations in trade were confined to a limited range, yet many individual merchants among them embraced the most extensive and generous views. After the overthrow of their theocratic government, and the destruction of their city by Nebuchadnezzar king of Assyria, in the year before Christ 588, several of those merchants, less oppressed by this heroic conqueror than by their own profligate tyrant Jehoiakim, implored the protection of the former, and accompanied him to Babylon. In that populous and flourishing city, the Jews were soon noticed for their knowledge of commercial affairs, and the indefatigable industry with which they conducted them. Animated in their exertions by the good opinion of their fellow-citizens, and supported by the patronage of the Sovereign, they rapidly accumulated wealth, and grew into consequence; and the constant intercourse which subsisted at this period between Babylon and the principal marts of Hindustân, afforded them the means of participating in the lucrative commerce of that country. From this time, we know, the Babylonian Jews greatly increased in numbers; and that many Jewish families settled in the different trading towns of Persia and Syria, where they shared in the trade that was carried on between those towns and the coast of Malabar, but we have no authentic information as to the exact period when they first embarked on board the India traders, and settled at Cranganore and Cochin. If we may credit their own records, which are preserved at this day in the synagogue at Cochin, engraved

in copper-plates in Hebrew characters, it would appear that they arrived in Malabar about the close of the reign of Nebuchadnezzar, that their numbers then amounted to 2000; that they were received by the Zamorin with the utmost partiality, and indulged in the free exercise of their religious worship, that, in consequence of this liberal reception, they purchased land, built a synagogue, and appointed a rich family among them, much esteemed for their wisdom, to govern their colony. As much of this account as corresponds with the known hospitality and benevolence of the Nairs, must be admitted to be true: and the concurrent testimony of Eastern travellers sufficiently proves, that before the Jews of Cochin were oppressed and persecuted by the Portuguese, they were a body of industrious merchants, alike respectable for their peaceful conduct, their numbers, and their opulence; but wanting strength to recover from the losses which they sustained by the relentless enmity of their oppressors, they gradually declined, and have at last dwindled into petty shop-keepers, without either credit or riches.

Having been led by the nature of our general subject to give some account of the introduction of Mahomedanism, Christianity, and Jewism, into Hindustân, we shall now return to our view of the commercial intercourse that subsisted between Europe and India, previous to the discovery of the passage by the Cape of Good Hope.

It has been observed, that the intercourse between the Roman empire and India, by way of the Red Sea, began to decline soon after the Imperial government had been removed from Rome to Constantinople, and that the Egyptian trade

had felt a still farther depression in consequence of the formidable rivalry of the Arabs, equally stimulated, at that period, by the love of gain and the desire of propagating their new religion. These causes operating against the commercial greatness of Egypt, at the same moment that luxury, sloth, and indolence were rapidly undermining it, a bold daring spirit among the merchants, prompting to great exertions, conducted by no common prudence, and supported by the influence of the Roman government, was essentially requisite to have averted its destiny. But the dominant spirit of the Egyptian merchants was not to be roused even by the calls of their own interest, and their voluptuous masters, as incapable as themselves of calling forth the energies of our nature, were little solicitous about the fate of the trade with India by the Arabian gulph, more especially as they were supplied with the commodities of that country by a less circuitous channel, and at as cheap a rate. The Persians who had, in the early periods of their history, manifested an utter aversion to maritime commerce, seem to have acquired an adequate notion of its value and importance soon after the subversion of the Parthian empire. Having been informed by the Indian traders, who, with their small coasting vessels, had long carried on a traffic at the port towns in the Persian gulph, with how much facility as well as safety a voyage from thence to Malabar and Ceylon was performed, they wanted neither the enterprise to turn this information to their own advantage, nor the sagacity to foresee the vast commercial benefits which would accrue to them from opening a direct communication with India by sea. Accord-

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ingly they fitted out vessels, which were dispatched annually to the different ports in Malabar, at the commencement of the northerly periodical winds. These vessels reached their destinations in nine or ten weeks, and after having exchanged specie, together with some of the commodities of their own country, for the precious products of the Indian peninsula, and those of China, which they procured at Ceylon, they returned home with their valuable cargoes at the beginning of the southerly monsoon. When they arrived in the Euphrates, their cargoes were put on board covered boats, and conveyed up that river and the Tigris to some of the principal marts in Assyria and Mesopotamia, whence they were distributed throughout the Persian empire. By this means the luxurious inhabitants of Constantinople were furnished in great abundance with the manufactures of Hindustan, and this, too, in conjunction with the other causes already adverted to, very nearly annihilated the trade between Egypt and India. Thus we find, that, in the seventh century of the Christian era, the whole of the commerce between India and the Western nations was engrossed and divided by the Persian and Arabian traders; but the former, from the physical situation of their country, possessed many important advantages over their more active rivals. These advantages were assiduously improved by the Persians, into whose hands the whole of the silk trade soon after fell. They bought up all the raw silk in the Indian markets—an article which, from time immemorial, the merchants of Ceylon had imported from China, and the frequent wars between the Persians and the impe-

rial government of Constantinople, afforded them the pretext of seizing the caravans, by which the manufactures of China were conveyed through Tartary into Greece*. Hence the Greeks were obliged to depend on their enemies for all the valuable commodities of the East, and these they paid for at an exorbitant rate. The Emperor Justinian, after making some unsuccessful attempts to rescue his subjects from those exactions, which it was no less impolitic than illiberal in the Persians to impose, very unexpectedly effected the object he had in view, by the occurrence of an unforeseen and curious circumstance. Two monks, of the Nestorian persuasion, who had been sent to India and China as missionaries, having observed the labours of the silk-worm during their residence in the latter of these countries; and having acquired a knowledge of the method by which its productions are manufactured into those beautiful fabrics that were so much admired in Europe, they repaired to Constantinople, and imparted to Justinian the important discovery they had made. That politic prince, foreseeing the commercial advantages likely to result from this discovery, encouraged them to go again to China, for the purpose of procuring those curious insects, whose labours contributed not only to the gratification of luxury, but to the advancement of trade. In the course of a few years the monks returned from the mission, and brought with them the eggs of the silk-worm concealed in a hollow cane. They were hatched by the heat of a dunghill, and fed by the leaves of the mulberry. People were appointed to superintend them; they multiplied rapidly, and

* See these circumstances stated in detail by Procopius, and illustrated by Dr. Robertson in his *Dissertation on Ancient India*.

and fully realized the speculations and gratified the wishes of the Emperor*. In consequence of this fortunate circumstance, extensive silk manufactures were established in the Peloponnesus, and some of the Grecian islands. The inhabitants of the Greek empire were no longer indebted to the Persians for their silks; even Chinese silk sustained a temporary depreciation in the markets of Europe, and these causes, together with the general poverty that prevailed throughout the imperial dominions in the reign of Justinian †, produced an important change in the trade between Europe and India.

It were foreign to our purpose to enter into a particular detail of all the secondary causes, which operated to turn the commercial intercourse between Europe and the East, into that channel which the journey of the missionaries above-mentioned originally pointed out. It will be sufficient to state, that towards the end of the sixth century of the Christian æra, nearly the whole of the trade of Asia was monopolized by the Persians, who, under the wise government of Anushirvan, or Chosroes, had attained a powerful pre-eminence in commerce as well as in arms. The superior skill and intrepid valour of Belsharius arrested the progress of their conquests; but the merchants of Constantinople, narrowed in their fortunes by the frequent exactions of Justinian, were little able to contend with their opulent rivals in commercial pursuits. Yet, notwithstanding the mercantile influence of the Persians, some of the commodities of Hindustan still continued to be brought

to Egypt, and from thence found their way into Italy and the Grecian states. But in the course of the succeeding century, other events occurred, which very nearly excluded the people of Europe from any participation in the ancient modes of intercourse with the nations of the East.

It has been already remarked, that the doctrines of Mahommed had called forth among the Arabs a new and vehement spirit, compounded of religious enthusiasm, warlike enterprise, and mercantile speculation. After the death of the Prophet, this spirit was sustained, invigorated, and put in action by the intrepid Omar, who marched into Persia at the head of a numerous army of the faithful, and in a few years subdued the whole of that ancient empire, where he established the dominion of the Caliphs and the faith of Islam, on the ruins of the family of Sassan and the religion of Zoroaster. Hence the Indian trade fell into the hands of the Mussulmans, who carried it on with the same zeal and activity by which they had acquired it. In order to give every possible encouragement to commerce, the Caliphs founded the port of Bassora, on the west bank of the Shat el Arab, at an equal distance between the confluence of the Tigris and Euphrates, and the Persian gulph, a station conveniently situated for the shipping employed in the India trade.

Under the vigorous and active government of the Caliphs, the commerce of Persia increased and flourished, but, satisfied with the profits which arose from the sale of Indian commodities, in their own extensive

* The introduction of the silk worms into Europe, related by Procopius, and described by Theophrastus, our readers will find explained with pleasing minuteness by Mr. Gibbon (*Roman Empire*, vol. vii. p. 98.), or they may see his account abridged in the elegant language of Dr. Robertson, (*Dissertation on Ancient India*, p. 113.)

† See Gibbon's *Roman Empire*, vol. vii. p. 400.

extensive dominions, they were little solicitous to have them conveyed into Syria by the usual channels: and after the conquest of that country and Egypt, by the Caliph Amron (A. D. 639), the merchants of Alexandria were prohibited from all intercourse with the subjects of the Byzantine empire, in consequence of the incessant warfare and rancorous animosity which subsisted between the Greeks and the Moslems.

Thus the people of Italy and Greece were deprived of those luxuries in which they had long been accustomed to indulge. But as the inventive genius of man is ever commensurate with his wants, the merchants of Constantinople soon found means to open a communication with the East, whence they obtained most of the valuable commodities from which the Caliphs had vainly hoped to have entirely excluded them. This, however, was not effected without much difficulty and considerable expence. The missionaries, who brought the silk worms into Greece, had ascertained that the commodities both of China and Hindustân were to be purchased at the market of Amol and Urkenje, two towns situated on the west bank of the Oxus in the country of Karasim. To these places, therefore, a few of the most adventurous merchants of Constantinople sent agents, who succeeded in establishing a mode of conveyance, by which the productions of China and India were thenceforward transported to Europe. At Amol and Urkenje the goods were shipped, and carried down the stream of the Oxus to the Caspian. After a voyage across that sea, far too boisterous for their slender barks, they sailed up the ri-

ver Cyrus, as far as the termination of its navigable channel, where the cargoes were disembarked, and conveyed by a short land carriage to the Phasis. Here they were again put on board of vessels, which in a few days reached the mouth of that river, and thence down the Black Sea to Constantinople. The disadvantages as well as the dangers which attended this conveyance were both numerous and eminent, but the ardour and perseverance of those who embarked in the undertaking, surmounted every obstacle and braved every peril. Hence the Byzantine commerce with India revived, and the temporary energy to which it gave birth, rather than the wealth which it diffused, retarded the destiny of that declining empire.

For upwards of two centuries this was the only direct channel of commercial intercourse between Europe and the Eastern nations. During that time (the eighth and ninth centuries of the Christian æra) the Moslems had spread their religion, either by the influence of commerce, or the power of the sword, from the Atlantic to the Pacific Ocean. The whole of the nations on the northern shores of Africa, from the Delta of Egypt to the Pillars of Hercules, together with the greatest part of Spain, had submitted to the sway of the Saracens, and the Mahomedan merchants, who, as we have already related, settled in the province of Malabar, in the first ages of the Hejirah, had extended their trading voyages to Bengal, Pegue, and Siam, to some of the islands of the Eastern Archipelago, and even to China*. The riches acquired by this lucrative and extensive trade were gradually diffused through the wide dominions of the Caliphs;

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* See the Narrative of Abu Zeid al Hassan, of Siraf, par Abbe Renaudot *Antiquités Relations des Indes et de la Chine, &c. &c.*

but the continual wars between them and the Christians precluded the inhabitants of Italy and Greece from deriving any benefit from these circumstances and at the beginning of the tenth century of our æra, after the wealth of the Fatimire Caliphs had induced them to found the city of Cairo, and the general opulence of Egypt became immense, the ports of that country, as well as of Syria, were still shut to the merchants of Europe.

This monopoly of the Indian commerce, and the consequent prosperity of the Moslems, was not viewed by the Grecian and Italian traders with that indifference which their degenerate character might lead us to suppose. By the inland intercourse through Tartary, which has been described, they only received enough of the productions of the East, to augment and stimulate their desire to obtain more. At this period (A. D. 900), a spirit of trade and industry began to shew itself in the free cities of Amalphi and Venice. the inhabitants of these places, secured in their persons and properties, cultivated the mechanic arts, and pursued their domestic traffic. The wealth which they thereby acquired, created new wants, and induced a taste for Eastern luxuries, which the scanty supplies they received from Constantinople contributed little to gratify. Yet, while the coasts of the Adriatic were infested by Mahomedan pirates, and the island of Sicily was subjected to the dominion of the Caliphs, it was utterly impracticable for the industrious citizens of Venice to carry into effect those projects, which were adapted to the interests of the Moslems, no less than to their own. By degrees, however, the mutual antipathy which had so long subsisted between

the Christians and Mahomedans was softened or repelled, liberal sentiments prevailed, and the barbarous prejudices of priestcraft and superstition, yielded to the interests of humanity, and the dictates of reason. Hence the ancient channel of intercourse with India by Egypt was gradually opened, and the Eastern trade, revived by the Italian merchants, diffused its influence through France, Flanders, and Britain, and ultimately attained, under the auspicious guidance of these merchants, much of the opulence, and something of the splendour of former times. But this trade was doomed to meet with a reverse, which suspended its operations, and for a considerable length of time impeded its progress.

The decline of the empire of the Caliphs about the middle of the eleventh century of our æra, paved the way for the irruptions of the Turks, originally a tribe of warlike barbarians, who inhabited part of the lofty ridge of mountains styled Caff and Aitai, but better known in Europe by the name of Imaus. The Turks had once been slaves to the Khan of Geougen, but in A. D. 949, they proclaimed their own freedom, and sallied from their mountains under the command of Bertezena, a leader equally eminent for his eloquence and valour. In a few years they subverted the dominions of their ancient master, and established, on its ruins, the more powerful kingdom of the Turks. The conquest that immediately followed their establishment, and their frequent embassies and proffered assistance to the Greek Emperors, circumstances extremely curious and interesting in the history of mankind, it is not within our province to notice. But the invasion of Syria and Palestine in the eleventh century, by the

the descendants of those intrepid warriors, was one of the proximate causes of the crusades, that extraordinary effervescence of human folly, which in its effects so much contributed to promote the general interests of commerce, and to facilitate the intercourse and increase the trade between India and Europe.

The illustrious princes and nobles who led the Christian armies into Palestine, were forcibly struck with the vast difference between the state of commerce and the civil ris in that country, and in their own. They were sensible of their own inferiority in these respects, and mingling political views with their spiritual pursuit, they imbibed those notions which ultimately so much tended to meliorate the condition of their countrymen. At the same time their becoming sovereigns of those states and cities, into which the commodities of India so abundantly flowed, their establishment of the kingdom of Jerusalem, and their elevation to the throne of the Greek empire, gave them a powerful if not an extensive sway over the commerce of the East. Thus they obtained a competent knowledge of the Indian trade, and, actuated by liberal sentiments, they patronised and promoted it. And though the commercial intercourse with India might have been an object of secondary consideration with the distinguished commanders of the crusades, it was nevertheless a matter of the utmost importance to the Italian merchants, who were associated in their enterprises, and without whose assistance they could not possibly have carried them into effect. These merchants, undoubtedly, embarked in the crusades from motives of interest, rather than of piety. After the conquest of any

valuable place, their eagerness to obtain commercial privileges sufficiently denoted the real objects they had in view. At Acre, Alepp, and other trading towns on the Syrian coast, they were permitted to settle, the property of several houses and some manufactories in these to vns, a considerable abatement of the usual duties on exports and imports, and the privilege of being tried by their own laws, and by judges of their own appointment, were freely granted to them. Hence the free cities of Venice, Genoa, Amalphi, Pisa, and Florence, increased with astonishing rapidity in wealth, refinement, and elegance, the whole of the Indian trade was now engrossed by their merchants, and every port, at that period, of any consequence in Europe, was frequented by their mariners.

The partition of the Grecian states, in A. D. 1104, by the leaders of the fourth crusade, still further conduced to the advancement of the Eastern commerce. By that partition, the Venetians obtained possession of part of the Morea, together with some of the most valuable islands in the Archipelago. This important acquisition enabled them to establish commercial settlements at convenient distances from each other, along the Grecian coast, from the Adriatic to the Bosphorus, and thereby secured to them many essential advantages in the Indian trade over the rival states of Italy. This superiority naturally excited the jealousy of these states and the republic of Genoa, alarmed at the union between the Venetians and the Latin Emperors of Constantinople, adopted the most bold and effectual measures to dissolve it. Regardless of the prejudices of the age, and in open defiance of the Papal authority, the Genoese confederated with
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the schismatic and dissaffected Greeks* under the command of Michael Palæologus; the House of Courtenay was deposed, and the ancient line of monarchs restored to the Imperial throne. The Venetian merchants were driven from Constantinople in consequence of this revolution, and the commercial advantages which they possessed and enjoyed, were transferred to their more fortunate rivals. The Genoese improved their success with the speculative industry of enterprising but prudent merchants. The whole commerce of the Euxine, and consequently of the inland trade to China and India, came into their hands. But the circumstance of the Venetians being thus entirely shut out from this branch of the eastern trade, served only to double their vigilance and activity in another quarter. They cultivated the friendship of the sultans of the Mamelukes, and enlarged their dealings with the Egyptian merchants and left religious scruples should interfere with their commercial projects, they solicited and obtained a Bull from the Pope, by which they were permitted to open a free trade with the infidels. In consequence of this dispensation, Venetian merchants and artisans, settled at the different cities and trading towns of Egypt and Syria, and the trade with India by the Red Sea and the Persian Gulph was established on the solid basis of mutual interests.

Still, however, the Genoese carried on the northern trade between India and Constantinople, till, in A. D. 1453, they were finally expelled from that city, on the conquest of the Greek empire by Mahomet the Second, and the consequent establishment of the Turkish

government in Europe. This important revolution, by which the Genoese were completely excluded from all intercourse with the East, elevated the commercial greatness of the Venetians, in the same proportion that it lowered that of their rivals, by making Egypt and Syria the only certain channels for the transportation of merchandize from India to Europe. And the Venetians, thus left without a single competitor in the Indian trade, supplied the greater part of Europe with the productions of the East, from this period until the close of the fifteenth century.

But the physical strength of the Republic of Venice bore a very inadequate proportion to the extent of her commerce and the opulence of her citizens. and it was to be expected, from the natural course of human affairs, that more powerful nations, instructed by that commerce, and envious of that opulence, would, in process of time, attain possession of the one, and thereby put a stop to the increase of the other. Before the commencement of the sixteenth century, an event happened which was destined to produce these fatal consequences to Venice, much sooner than could have been foreseen. The discovery of the passage to India, round the southern extremity of Africa, undoubtedly one of the most memorable occurrences in the annals of the world, opened the commerce of India to the Portuguese, whose nautical skill, dauntless spirit, and speculative talents, at that period, so eminently fitted them to pursue it with vigour and success.

In the early part of the fifteenth century, the Portuguese, under the wise and enlightened government of

* The Greek historians do not acknowledge the powerful assistance of the Genoese, but the fact is proved by *Villani*, *Muratori*, *William de Nangis*, and is moreover illustrated in the most satisfactory manner by *Gibbon*.

of Don Henry Count de Viseo, had taken possession of the Canary Islands, at that time subject to Maciot de Bethancourt, who held them under a grant from the king of Castile. In A. D. 1420, further discoveries were made on the west coast of Africa; and the islands of Madeira and Porto Santo were added to the dominions of the crown of Portugal. Still pushing their discoveries with increasing ardour, they doubled the Cape de Verd in 1446, and three years afterwards, the islands which take the name of that promontory were discovered, and assigned to Don Henry as a reward for his zealous and successful exertions in the administration of nautical affairs. From this period till 1448, the Portuguese gradually extended their voyages of discovery to the southward, along the coast of Africa, and in 1486, Bartholomew Diaz, a seaman of much skill and intrepidity, doubled the Cape of Good Hope, after having surmounted the severities of repeated tempests, and endured the more painful hardships of famine. The distressed condition to which his crew was thereby reduced, obliged him to abandon the farther prosecution of his voyage, and he returned to Lisbon in 1487, after an absence of sixteen months. The narrative of Diaz, together with the topographical accounts of the Indian peninsula and the Ethiopian coast transmitted by Pedro de Covillan*,

seemed to confirm the opinion that had long been entertained of the practicability of opening a passage to India, by sailing round the southern extremity of Africa. Elated with the discoveries they had made, and with the brilliant prospect now open to their view, the Portuguese anticipated their future success, and predicted that another voyage would accomplish the principal and ultimate object of their speculations and desires. The elevation of Don Emanuel to the throne of Portugal, in 1495, in the full bloom of his youth and genius, gave a new and lively confidence to the expectations of his subjects, and appeared already to ensure to them the possession of riches and glory. Anxious to meet their wishes, Emanuel not only embraced the projects, but with a generous policy enlarged the plans of his predecessors, and, in opposition to the cold caution of some narrow-minded statesmen, in his councils, he ordered four ships to be equipped for an expedition to India. The person chosen to command this expedition was Don Vazquez de Gama; a man of high quality, whose talents ennobled his birth, and have immortalized his name. He sailed from Lisbon on the 1st of July 1497, and on the 20th of November following he passed the Cape of Good Hope. In March he arrived at Mozambique, where he lost many of his people by the scurvy, and where

* Covillan was a man of talents and intelligence, well acquainted with the Arabic language, and versed in the mathematical sciences. He went by way of Egypt and Arabia to the coast of Malabar, where he resided some years. From thence he took his passage in an Arabian vessel to Sofala, and, travelling through Ethiopia, returned to Egypt. He there found opportunities of transmitting accounts of his travels to Lisbon, which having accomplished, he again went to Ethiopia, where he was detained prisoner until 1521, when Don Rodrigo de Lima came thither in the quality of ambassador from the crown of Portugal, to whom he related the whole of his adventures, and from whom he learnt the great discoveries and conquests to which the accounts he transmitted to Portugal had given birth. He was the first of his nation who ever set foot in Hindustan. All the Portuguese historians, whom we have had the opportunity of consulting, concur in asserting the authenticity of this account of Covillan.

the schismatic and dissaffected Greeks* under the command of Michael Palæologus, the House of Courtenay was deposed, and the ancient line of monarchs restored to the Imperial throne. The Venetian merchants were driven from Constantinople in consequence of this revolution, and the commercial advantages which they possessed and enjoyed, were transferred to their more fortunate rivals. The Genoese improved their success with the speculative industry of enterprising but prudent merchants. The whole commerce of the Euxine, and consequently of the inland trade to China and India, came into their hands. But the circumstance of the Venetians being thus entirely shut out from this branch of the eastern trade, served only to double their vigilance and activity in another quarter. They cultivated the friendship of the seldans of the Mamelukes, and enlarged their dealings with the Egyptian merchants and left religious scruples should interfere with their commercial projects, they solicited and obtained a Bull from the Pope, by which they were permitted to open a free trade with the infidels. In consequence of this dispensation, Venetian merchants and artizans, settled at the different cities and trading towns of Egypt and Syria, and the trade with India by the Red Sea and the Persian Gulph was established on the solid basis of mutual interests.

Still, however, the Genoese carried on the northern trade between India and Constantinople, till, in A. D. 1453, they were finally expelled from that city, on the conquest of the Greek empire by Mahommed the Second, and the consequent establishment of the Turkish

government in Europe. This important revolution, by which the Genoese were completely excluded from all intercourse with the East, elevated the commercial greatness of the Venetians, in the same proportion that it lowered that of their rivals, by making Egypt and Syria the only certain channels for the transportation of merchandize from India to Europe. And the Venetians, thus left without a single competitor in the Indian trade, supplied the greater part of Europe with the productions of the East, from this period until the close of the fifteenth century.

But the physical strength of the Republic of Venice bore a very inadequate proportion to the extent of her commerce and the opulence of her citizens: and it was to be expected, from the natural course of human affairs, that more powerful nations, instructed by that commerce, and envious of that opulence, would, in process of time, attain possession of the one, and thereby put a stop to the increase of the other. Before the commencement of the sixteenth century, an event happened which was destined to produce these fatal consequences to Venice, much sooner than could have been foreseen. The discovery of the passage to India, round the southern extremity of Africa, undoubtedly one of the most memorable occurrences in the annals of the world, opened the commerce of India to the Portuguese, whose nautical skill, dauntless spirit, and speculative talents, at that period, so eminently fitted them to pursue it with vigour and success.

In the early part of the fifteenth century, the Portuguese, under the wise and enlightened government of

* The Greek historians do not acknowledge the powerful assistance of the Genoese, but the fact is proved by *Villani*, *Muratori*, *William de Nangis*, and is moreover illustrated in the most satisfactory manner by *Gibbon*.

of Don Henry Count de Viseo, had taken possession of the Canary Islands, at that time subject to Maciot de Bethancourt, who held them under a grant from the king of Castile. In A. D. 1420, further discoveries were made on the west coast of Africa; and the islands of Madena and Porto Santo were added to the dominions of the crown of Portugal. Still pushing their discoveries with increasing ardour, they doubled the Cape de Verd in 1446, and three years afterwards, the islands which take the name of that promontory were discovered, and assigned to Don Henry as a reward for his zealous and successful exertions in the administration of nautical affairs. From this period till 1448, the Portuguese gradually extended their voyages of discovery to the southward, along the coast of Africa, and in 1486, Bartholomew Diaz, a seaman of much skill and intrepidity, doubled the Cape of Good Hope, after having surmounted the severities of repeated tempests, and endured the more painful hardships of famine. The distressed condition to which his crew was thereby reduced, obliged him to abandon the farther prosecution of his voyage, and he returned to Lisbon in 1487, after an absence of sixteen months. The narrative of Diaz, together with the topographical accounts of the Indian peninsula and the Ethiopian coast transmitted by Pedro de Covillan*,

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where he was exposed to the great danger of being betrayed as soon as they were known to be Christians: but his assiduous care and attention stopped the contagion of the one, and his prudent courage protected him from the fatal consequences which were to be apprehended from the other. From Mozambique he proceeded to Mombaze, and thence to Melinda, where he was well received by the Prince of that place. In conformity with his instructions, he steered from Melinda directly east, across the great Indian ocean, and on the 22d of May 1498, ten months and two days after his departure from the Tagus, he arrived at Calicut on the coast of Malabar.

The Zamorin received Gama with the hospitality and politeness natural to a Hindu Prince. But his Mahomedan subjects, justly alarmed at the appearance of such formidable commercial rivals, represented them as an ambitious and fraudulent people, who aimed at nothing less than the conquest of his country. This representation was attended with its desired effect, several schemes were formed for the destruction of Gama and his people, and their situation became extremely perilous. But his discernment, sagacity, and resolution, defeated the projects of his enemies, and he returned on board his fleet, from whence he wrote a letter to the Zamorin, remonstrating in strong and indignant terms against his breach of faith, and justifying himself at the same time from the imputations which had so falsely and maliciously

been thrown out against him. The Zamorin's reply was dignified, liberal and complaisant; he urged the necessity of preventing foreigners from obtaining too great an influence in his dominions, but admitted that the insinuations of the Mahomedans appeared on investigation to be unfounded in truth, and at the same time gave him full assurance, that the calumniators should be punished, and that in future the Portuguese should meet with no cause to complain. Along with this letter he sent one to the king of Portugal, in which he accepted the proposition made to him in his Majesty's name, and granted a free trade to the Portuguese, on condition of their not molesting the commerce of other nations with whom he had long been in alliance. Having received these letters, and having (notwithstanding the opposition he met with from the Mahomedan merchants) loaded his vessels both with the commodities peculiar to Malabar, and with some of the more valuable productions of Bengal, he sailed from Calicut to the Laccadive Islands, where having furnished his ships with cordage*, of which they were in great need, he proceeded to Europe, and arrived in the Tagus in 1499. He was received by all ranks of people with the most cordial demonstrations of joy, and his Sovereign rewarded his successful and invaluable exertions by raising him to the highest rank in the state, and by conferring on him peculiar and appropriate honours. He likewise bestowed favours on the captains

* In many parts of India, cordage of all sorts, from the smallest rope to ships cables of fifteen inches circumference, is manufactured, from the long beard which grows on the shell of the cocoa nut, but that which is made at the Laccadive Islands, has been in all times said to be of a very superior quality. It has been always used by the Arabs, and our mariners in the Indian seas prefer it for some particular purposes to hemp cordage. The Laccadive Islands are situated about three leagues to the westward of the coast of Malabar, and between the tenth and thirteenth degrees of North latitude. they are seventeen in number.

tains and inferior officers, and even the private sailors of the fleet received not only his personal thanks, but considerable marks of his bounty.

The fortunate termination of the expedition of Gama, an event of so much consequence to Portugal, excited a great degree of interest among the principal nations of Europe. The value of the Indian trade every intelligent merchant knew how to appreciate, and statesmen perceived, that this new route to India, as it would necessarily induce the Portuguese to trade on large capitals, must operate an important change in the commercial system which had been hitherto pursued. In a view of this change, the senators of Venice contemplated the downfall of that trade, to which they owed all their opulence and much of their grandeur; and the consciousness of their own inability to counteract or even to retard the rising commerce of the Portuguese, cast a melancholy gloom over the prospect. Spain, France, and England were yet in the rudiments of commerce and navigation, the northern nations were only emerging from barbarism, and Portugal was therefore without a rival in the new trade in which she had embarked. This circumstance, which raised that nation to such pre-eminence, afforded matter of exultation to the great men by whose schemes and exertions it had been produced.

They conceived that Lisbon would thereby become the sole emporium for Asiatic commodities; and that its merchants would consequently be enabled to dispose of them to the other nations of Europe, at a much cheaper rate than that at which any of those nations could import them from India. Hence they inferred, that the rest of Europe would find it much more their interest to be supplied with those commodities

from Lisbon, than to endeavour to obtain them by engaging in hazardous and expensive speculations, in which the loss was certain and the profit precarious. And from this mode of reasoning they were easily led to imagine that their Indian commerce was established on a permanent and substantial basis, and that its prosperity would continue to increase, so long as they could abundantly furnish rival states with the productions of the east. But practical statesmen are so much under the influence of patriotism, avarice, or ambition, that, for the most part, their general reasonings on human affairs are narrowed to the partial principles out of which these passions grow. It is in truth by these passions, together with the sentiments and feelings that spring from them, and not by fixed rules that civil government is conducted:—and according to the manner in which these are regulated, the affairs of a nation are well or ill administered. The passions and prejudices of their countrymen are the natural instruments of the power of statesmen; and in framing measures for increasing the wealth and power of their country, they pay much more regard to the particular notions which strengthen those passions, or flatter those prejudices, than to the general principles of justice, forgetting that justice is the permanent and unerring policy of all men and of all governments, and that in proportion as we deviate from it, we injure whatever cause the deviation is designed to promote. Thus plausible plans are adopted for the aggrandizement of a nation, not only without sufficient consideration of the justice in which they are founded, but without a due calculation of the jealousies and animosities which it is in their nature to create and call forth in other states. Thus

Emanuel and his ministers, with a view to advance the commercial greatness of Portugal, formed the specious but dangerous scheme of monopolizing the whole of the Indian trade, without being aware that such a flagrant and independent transgression of the legitimate rights of a valuable and independent medium of any nation was, and that such a monopoly would, from the very constitution of our nature, excite so much envy, rivalry, and hatred, in the other countries which compose the great commonwealth of Europe, that it must at last be destroyed, either by the secret artifices of persevering industry, or the open hostility of powerful rivals. To maintain such a monopoly, therefore, appears to be impracticable, and if it were practicable, it would be a ruinous because an unjust system of policy. We will venture to affirm, that any statesman who augments the opulence of his country, by shutting out other nations from all share in any particular branch of commerce, takes the most effectual means of ultimately turning that commerce into the hands of those from whom it is his ambition to exclude it. And this proposition, which rests on the solid ground of justice and experience, the following history will very fully and strongly demonstrate.

With this brilliant prospect of wealth and greatness, Emanuel lost no time in fitting out a second expedition to India, but desirous that Gama should enjoy the glory he had acquired in the peaceful retirement of domestic life, he appointed Don Pedro Alvarez de Caprai general and commander in chief. The fleet for this expedition consisted of thirteen sail, some of which were large ships, and the whole equipped in such a manner as was calculated to fill the minds of strangers with an

high idea of the power, opulence, and grandeur of the country to which so formidable a force belonged. In conformity with the religious zeal of the age, a number of priests were sent on board the fleet, with a view to convert the idolaters of India to the Christian faith. In March 1500, Caprai sailed from Lisbon, experience having already shewn, that spring was the most favourable season for setting out on a voyage to India. He did not pursue the same track as Gama. Instead of sailing along the coast of Africa, he steered boldly to the westward, in hopes of avoiding the tempestuous weather with which all former navigators had been assailed on that coast. The course he held, conducted him to the most eastern part of the great continent of South America, hitherto entirely unknown. On his approaching the coast, the pleasant aspect of the country induced him to land, and according to the custom practised by all voyagers in those times, he took possession of it in the name of the king his master, by erecting a staff, from which he displayed the flag of Portugal, and suspended the cross of Christ. This country he denominated *the Land of the Holy Cross*, but it was afterwards called by the native name of Brazil. Of this interesting discovery he entertained no just notion, that although he had already lost five sail of his fleet, he dispatched Gaspar Lamidos (a person in his confidence) to Lisbon with the intelligence, and a native of Brazil along with him as an evidence of its truth. Henceforward he prosecuted his voyage, and after having encountered many tremendous storms off the Cape of Good Hope, he visited Mosambique, Melinda, and the other parts on the east coast of Africa, where Gama had been. Leaving that coast, he steered

steered across the Indian Ocean to the Laccadive Islands, where he refitted his vessels, and re-established the health of his people, which the effects of long confinement had materially injured. His arrival at these islands was no sooner known at Calicut, than the Zamorin sent ambassadors to congratulate the Portuguese on their return, and at the same time to invite them to Malabar. Capral accepted of this invitation, and went to Calicut, where he was received with uncommon marks of civility and respect. He was admitted to an audience of the Zamorin, who, in order to demonstrate the sincerity of his friendly professions to the Portuguese, gave them permission to plant the standard of Portugal in the country, to appoint a consul to manage their affairs, and to open store-houses to facilitate the operations of their commerce. But the friendship between the Zamorin and Capral was not of long duration. The Portuguese commander being of a very suspicious disposition, gave credit to an unfounded if not a malicious rumour, that the Zamorin had formed a plan for a general massacre of the Portuguese, and without making any representation to that prince, either of the report he had heard, or of the measures which in consequence of it he designed to adopt, he at once seized all the vessels belonging to Calicut, and committed various other acts of hostility. The inhabitants of Calicut, enraged at this unprovoked aggression, attacked the Portuguese factory, forced open the gates, pillaged and burnt the store-house, and of sixty people which the factory contained, ten only, with great difficulty, escaped on board the fleet. This unfortunate event served to confirm the original suspicions of Capral, and, exasperated as much by the indignity thus

shewn to the flag of Portugal, as by the actual loss sustained from the destruction of the factory, and the murder of his countrymen, he avenged the injury with proportional severity. Having set fire to ten vessels richly laden, he made slaves of the people that belonged to them, cannonaded the town from his ships, until he had demolished two-thirds of it, and then sailed for Cochin. The Rajah of that place being then at variance with the Zamorin, Capral met with a more favourable reception from him than he had any previous reason to expect. But his own supercilious manners, in effect, defeated the beneficial purposes which the policy he had adopted was intended to produce, and, after having visited the different princes of Malabar with the like ill fortune, he returned to Europe, greatly mortified at the failure of his hopes. Nor did his reception at Lisbon any way tend to alleviate the weight of his disappointment. He had brought with him a valuable cargo; but his having failed in forming an establishment in Malabar, and the number of gallant men whose lives had been sacrificed in this voyage to the imprudence, if not to the temerity of their commander, were misfortunes not easily repaired.

Emanuel, however, as if aware of the evils to which the impetuous disposition of Capral might give rise, had, before his return, dispatched a small squadron to India, under the command of Don Juan Nova Colleca, a man of prudence and intrepidity. On Don Juan's arrival at Melinda, he was informed of the unfortunate events which had taken place at Calicut and Cochin. He therefore deemed it prudent to sail for Caninoe, in preference to either of these places. But when he arrived there, he had the satisfaction to learn that the Rajah of

Cochin, though offended with Calpal, was by no means inimical to the Portuguese people. In consequence of this information he pursued his way to Cochin, and, on his passage thither, being a fortnight, and almost deflected a fleet of vessels which the Zamorin had sent out to intercept him, he was received by the Rajah with the warmest congratulations. Having thus happily re-established a good understanding between this prince and the Portuguese, he purchased a valuable cargo, and returned to Europe. In his passage to Lisbon, he discovered, and landed on, the island of St. Helena, of which he gave so favourable an account to Emanuel, that he considered it of sufficient importance to take possession of it, as a place of refreshment for the fleets on their passage from India to Europe.

The account given by Don Juan of the different states of Malabar, of the rivalry between them, and of the hostile disposition which they manifested for each other, fully persuaded Emanuel of the utility of sending a much larger force into that country than had been hitherto employed. He accordingly fitted out a fleet of twenty sail of large ships for that service. Nor did he now find any greater difficulty in equipping for considerable a force, than he had before experienced in furnishing the small squadrons which were then thought suitable to the nature of the object in view, for the rich prospect which the new navigation to India now presented to mercantile speculators, not only gave him a command over the wealth of his own subjects, but also over that of the numerous merchants from the different nations of Europe, whom the wish of sharing in the benefits of this trade had brought to Lisbon. The eminent talents and great popularity of Vasquez de Gama,

pointed out the propriety of calling him from his retirement to take the command of this fleet, and his zeal and patriotism, though he was advanced in years, hindered him from declining it. In the beginning of 1503, he sailed from Lisbon, and arrived, in the course of seven months, at Cananore, whence, having concluded a treaty of alliance with the Rajah of that place, he sailed to Cochin. He there received a deputation from the Christians of St. Thomas, offering then services, of which he readily accepted, and soliciting his protection, which he of course afforded them.

The Zamorin, in the mean while, made use of every stratagem which his politic ingenuity could devise, to counteract the projects of the Portuguese. He left no means untried to persuade the Rajah of Cochin to deliver Gama into his power; but that prince, faithful to his engagement, rejected so dishonourable a proposal with becoming disdain. Irritated at the failure of these secret artifices to entrap and destroy his enemies, the Zamorin assembled a number of vessels, with which he resolved to attack Gama, on his departure from Cochin to return to Europe, as the Portuguese fleet would then be deeply laden, and consequently much less able to resist him. Resolute in this intention, and buoyed up with the hope of success, he waited for the departure of the Portuguese Admiral with much anxious confidence, and the instant he received intelligence of the fleet having quitted Cochin, he dispatched his own to meet it. Gama, however, had heard of the armament that was forming at Calicut to intercept his voyage, and was not unprepared to defend himself against it. When the fleets met, he allowed the Indian barks to approach in their disorderly manner,

as near as they chose, so that the shot from his own ships might take effect, and as it was their object to board, they were not more than half a pistok-shot from the Portuguese, when the signal was made for Gama to commence the action.

The firing, therefore, from the Portuguese, in a few minutes did considerable damage to the slender barks of the enemy, the people on board of them were killed with the utmost conternation, and in less than an hour, the splendid armament of the Zamorin was either taken, sunk, or dispersed. After this affair, Gama proceeded to Cannore, in order to confer with his allies as to the general line of conduct to be pursued in his absence from India, and it was agreed that he should leave a strong squadron on the coast of Malabar, that the Portuguese might maintain that ascendancy which his prudence, skill, and valour had so gloriously gained. He accordingly appointed six of his finest ships for this service, the command of which he gave to Vincent Sodrez, and having made every necessary arrangement respecting them, he sailed for Lisbon with the richest cargo which had ever yet been transported from India into Europe.

The departure of Gama had been looked for by the Zamorin, with an impatience proportioned to his desire of punishing the Rajah of Cochín for the succour he had afforded the Portuguese. As soon, therefore, as the Portuguese fleet had finally sailed from Malabar, he assembled an army of 50,000 men, and marched to attack Cochín. The first intelligence of his approach threw the inhabitants of that place into the greatest trepidation. They vented the bitterest imprecations on the Portuguese, and besought their prince to make overtures for

peace, to renounce his alliance with them, and to deliver up such of them as were under his protection to the mercy of the Zamorin. But Virmampara conceived the bitterest calumny that could be formed, was far preferable to the adoption of a measure fraught with every motive that was base and base, and without better fortitude at once determined to guard his allies from the deadly influence of his own subjects, and to defend his country and capital to the last extremity, with a few troops, on whose attachment and bravery he could confidently rely. At this juncture Vincent Sodrez arrived at Cochín with his squadron, and the Rajah, on enjoying at his appearance, immediately dispatched a messenger to acquaint him with the alarming predicament in which he stood, and to request that not a moment might be lost in sending as large a body of men as he could spare, to co-operate in his defence. But what must have been the astonishment and indignation of that generous and gallant prince, when Sodrez informed him, "that his instructions were to act at sea, and not on shore, and that he could nor therefore consent to land a single man." The Portuguese merchants at Cochín, not less ashamed than enraged at the base and unmanly conduct of their countryman, resolved to send a deputation on board the fleet, to reproach Sodrez with his treachery and cowardice; to represent the perilous situation of their ally, the Rajah, together with the peculiar danger attending their own, and to conjure the inferior officers and seamen not to regard a commander who had thus disgraced himself, and stained the honour of his country, but to follow the dictates of their own feelings, and, by contributing to the defence of Cochín, to vindicate the character of the Portuguese people. But before

this spirited resolution had time to be carried into effect, Sodrez weighed anchor and sailed for the Red Sea to commit piracies on the Arab traders, a service more congenial to a mind like his, and in which he afterwards perished, the devoted victim of his own avarice.

The Zamorin, in the mean while, marched with his army into the district of Cochin, and having obtained possession of a pass that led to the town, he conceived that the object of his vengeance was now in his power. As soon as Vrimampara was made acquainted with the advantage which the enemy had thus gained, his first attention was to secure the Portuguese merchants from the possibility of their falling into the hands of the Zamorin. He accordingly sent them to the small island of Vaypi, a few leagues distant from Cochin, which, as it was consecrated to the most solemn mysteries of the Brahminical faith, had immemorially been held sacred by all Hindu princes. It was besides a place of strength, as well from its being almost inaccessible by nature, as from the great number of troops which were kept in it. This precaution in favour of the Portuguese was fortunately taken in due time. As the Zamorin approached towards the walls of Cochin, the inhabitants deserted the cause of their prince, and flocked to the standard of the enemy: and Vrimampara seeing that his capital was altogether untenable under these distressing circumstances, he left it to its fate, and retired to the island of Vaypi, taking with him only a few faithful adherents. The Zamorin, after this, entered the town of Cochin without resistance, and in the rage of his disappointment, on finding that both the Rajah and the Portuguese had escaped, he wreaked his vengeance on the offending inhabitants, and reduced

the place to ashes. He then proceeded to the attack of the island; but there the troops were still ardently attached to their master; the Zamorin was repulsed with considerable loss, and at last compelled to relinquish his design, and as the rainy season was fast approaching, he garrisoned Cochin, and returned to his own dominions.

The exemplary virtue and unmerited sufferings of Vrimampara did not long remain unrewarded and unavenged. It had now become the settled policy of Emanuel to send annually a fleet to India and Francis Albuquerque, who commanded the fleet of this year (1510), having arrived at the Laccadive Islands, a few months subsequent to the conquest of Cochin, he was there informed of all the disasters which had befallen its monarch. Eager to retrieve the honour of Portugal, which had been tarnished by the infamous conduct of Sodrez, as well as to restore its faithful ally to his dominions, he proceeded to the island of Vaypi without delay. Measures were soon concerted between Vrimampara and Francis Albuquerque, for dispossessing the Zamorin of the territory of Cochin; and these measures were as speedily put in execution. Having landed a considerable force, under cover of the night, they attacked the enemy at every point, completely routed them, and the Rajah re-entered his country in triumph.

The important service which the Portuguese had thus rendered for the Rajah of Cochin, led the way to the foundation of their Eastern empire. This afforded Francis Albuquerque a plausible pretext for soliciting permission of Vrimampara to erect a place of strength in his dominions, for the better security of the Portuguese merchants and factors; and that prince, grateful for the

the favours he had received, and little suspicious of any sinister motive in his allies, not only granted the request, but allowed Albuquerque to choose whatever situation he thought best adapted for his purpose. Accordingly a fortress was expeditiously constructed on an eminence that entirely commanded the new town of Cochin, which the Rajah, since the recovery of his dominions, had built on the site of the former capital. A church and other public buildings were also erected within the fortress, officers were appointed to fill the different civil and military stations, priests were chosen from among the monks, already settled in Malabar, to perform the public duties of religion; and thus the first establishment of the Portuguese in India was regularly formed.

During the progress of these proceedings, Alphonso Albuquerque arrived from Portugal with a powerful reinforcement: the Portuguese soon after formed other alliances; they insidiously fomented disputes between the different Rajahs of Malabar, and, by engaging in their quarrels, and always taking part with the least powerful Prince, their conduct had an appearance of generosity, which made a sensible impression on their enemies as well as their friends. And this conduct, as it procured them grants of land from their allies, in return for their services, gave them so much weight and influence in the political affairs of Malabar, that the Zamorin, alarmed at their growing power, concluded a peace with the Albuquerque on terms no less favourable to them than humiliating to himself: but the Portuguese, intoxicated with their prosperity, paid little respect to treaties or public engagements of any sort, when these stood in the way of the gratification

of their inordinate avarice. A few months after the peace with the Zamorin was concluded, they captured a vessel belonging to him very richly laden, and, on his demanding redress for the injury, he was treated not only with contempt but derision. Equally incensed at this violation of a solemn treaty, and at the insolent manner in which his demand had been rejected, the Zamorin secretly determined to renew the war, as soon as a favourable opportunity should occur. Accordingly, whenever the annual fleet sailed from Cochin for Europe, he marched towards that place at the head of an army of sixty thousand men. Vrimampara, aware of his approach, behaved with his accustomed promptitude, decision, and firmness, and with the assistance of the Portuguese troops, under the command of a gallant officer named Pacheco, he obtained a signal victory over his enemy, and compelled him to sue for peace.

Emanuel, about this time, (A. D. 1504,) forsaking the prudent policy which had been the rule of his conduct, and which had hitherto preserved him from the religious phrensy that infected the age, conceived the chimerical project of driving the Mahomedans out of India. Elated too with the great success of his plans for forming settlements in that country, his fancy magnified to him the extent of the influence which belonged to them, and, urged by this ambitious prey, he began to prepare for the execution of his scheme. But while he was employed in these matters, the Brahmans of Calicut, by a plausible but hazardous policy, indicative of spirit rather than of sagacity, persuaded the Zamorin to adopt a measure which threatened the destruction of the Portuguese establishments in Malabar, but which, in

its effects, proved injurious to himself. They repented to him, that, as the Christians and Mahomedans were more bitter enemies to each other than either of them was to the Hindus, it would be politic to incite the Mappilas, or Mahomedans of Malabar, to commit hostilities on the Portuguese, and at the same time to urge the Mussulman princes of the Deccan, to support the cause of their religion in Malabar, against the influence and the aims of the Christians. By this measure, the Brahmans hoped to exhaust the strength of the Moslems, as well as of the Portuguese, that they would be ultimately able to exterminate both, but of the disposition of the one, and the resources of the other, they were equally ignorant. They do not seem to have known, that those Mussulman princes made war much less for the glory of their religion, than for the acquisition of riches, and the extension of their power, nor that they looked with a more envious eye on the wealth of the Hindus, than on the progress of Christianity: and, as to the Portuguese, the Brahmans must have been altogether unacquainted with the means which they possessed, of supplying the losses they might sustain in any war, however desperate or destructive. The Zamorin, nevertheless, followed their counsel. The five Moslem princes of the Deccan confederated in defence of their faith; but, instead of marching towards Malabar, they turned their arms against the Rajah of Bijanagur and Telingana, and rested satisfied with the conquest of some part of their dominions. The Mappilas, on the other hand, having, at the instigation of the Zamorin, provoked hostilities, which they were little willing and less able to support, were obliged to submit to the conditions imposed

upon them by the enemy, which, together with the severe losses they suffered by the war, almost ruined their commerce, and annihilated their power. Thus, the plan which was laid for the destruction of the Portuguese, served to promote their views, and to give stability to their settlements in India.

Emanuel, on receiving intelligence of the designs of the Zamorin, had expeditiously dispatched a fleet to Malabar, with a considerable number of troops on board, to enable the Portuguese to resist effectually the meditated attack upon them, and, in order to impress upon the minds of the princes of India an high idea of the dignity and splendour of the Portuguese nation, as well as to render the military operations in Malabar the more efficacious, by placing the different settlements under the government of one man, he appointed Don Francis D'Almeida, Governor-general, with the pompous title of *Vice King of the Indies*. Don Francis sailed from Lisbon in command of the above-mentioned reinforcement, and, on his arrival at Cochin, he found the affairs of the Portuguese in that advantageous posture of which we have given an account. Like an able politician, he proceeded to improve the advantages that had been gained, by forming new settlements along the coast of Canara, and by erecting strong fortifications at Cananore, and on the peninsula of Aguada, which is contiguous to the island of Goa. nor did he neglect the interests of commerce and navigation. About this time (A. D. 1806,) he sent two squadrons on voyages of discovery, one to the west, and the other to the east. The western squadron discovered the island of Madagascar, the eastern one, under the command of his son Lawrence D'Almeida, after discovering the

Maladive

Maladive islands, steered for Ceylon, where he landed at the head of a small but well-appointed body of troops. Fortunately for Lawrence D'Almeida's purpose, a furious civil commotion at that time prevailed in the island, he immediately joined the insurgents, and, after many battles and much bloodshed, not only succeeded in forming a settlement at Colombo, but in reducing under his subjection the whole of the districts in which the best cinnamon is produced. Hence the valuable trade of this island fell into the hands of the Portuguese—they fortified Colombo, Negombo, and one or two other ports, expelled the Arab merchants from them, and thereby gave the death-blow to the ancient trade between the ports of the Red Sea and Ceylon. They had now monopolized almost the whole trade of India, and usurped the supreme dominion of its seas; and they enforced this commercial tyranny, by issuing a piratical order to the commanders of their ships of war, in which it was no less absurdly than shamefully asserted, that the King of Portugal was sovereign of the Indian Seas, and that if the vessels of any nation in the world failed in them, without a pass either from the Vice King of the Indies, or the Portuguese Admiral, they would be considered as enemies, and their cargoes be accordingly liable to confiscation. The injustice and insolence of this order naturally exasperated every independent nation, and the Venetians, who suffered equally by it, with the Soldan of the Mamelukes and the Egyptian people, prevailed on that monarch to enter into a negotiation with the Pope and Emanuel, in order to obtain the revocation of an order, which not only violated the freedom of trade, but the common rights of humanity.

The tone which the Soldan assumed in the negotiation, was little calculated to forward his views.—While he denied to Portugal an exclusive right to the trade, he asserted that right himself, and threatened, “that if the Portuguese did not immediately relinquish the navigation by the Cape of Good Hope, he would put to death all the Christians in Egypt, Syria, and Palestine, burn their churches, and even destroy the sepulchre of Christ;” but Emanuel and the Pope treated this threat with contempt, and broke off the negotiation. The Venetians had then recourse to another measure, which proved equally fruitless. They urged the Soldan to equip a fleet in the Red Sea, to form an alliance with the Arabs, and with their combined forces to protect their Indian trade against the depredations of the Portuguese. The Soldan adopted their plan.—Having fitted out a considerable fleet on the Red Sea, it was united with a still more formidable one of the Arabs, and they proceeded to India. Off the island of Diu, on the Malabar coast, they fell in with the Portuguese fleet, under the command of the Governor-general D'Almeida, and, after a desperate conflict, they were totally discomfited by the superior skill and intrepidity of the Portuguese. Gaining additional power and consequence from this victory, D'Almeida subdued every place of any strength or value on the coast between Diu and Cochín, and compelled the several princes to acknowledge themselves tributary to the crown of Portugal.

D'Almeida's period of service being now expired, he returned to Portugal, and was succeeded in the government of the Indian settlements by Alphonso Albuquerque, an officer who had already acquired much credit by his services, and whose

valour

talents and character amply entitled him to fill the station to which he was elected. The first act of his government was to declare war against the Zamorin, with a view to get possession of the port of Calicut. The plan for executing this measure was well conceived, but it failed in its operation, by the want of discipline among the Portuguese soldiers, who, after the town had been carried by storm, could not be restrained from plundering, and the Zamorin's troops, taking advantage of this, attacked them with such fury, that Albuquerque, after losing one half of his men, and being severely wounded, with the utmost difficulty effected a retreat on board his fleet.

His next expedition, however, was attended with all the success and glory which he could have desired. Having equipped a formidable squadron, he embarked with a body of 2000 veteran Portuguese who had been inured to the climate, and sailed for Goa, with a design to make an entire conquest of that island, which, both on account of its physical strength, and of its forming a bay in which the fleets of Portugal might remain in perfect safety during the stormy monsoon, became an object of no small importance. On the 15th of February 1510, Albuquerque landed on the island, and after a brave defence on the part of the inhabitants, he carried the town of Goa by storm in the course of a few hours. He then marched into it in great triumph, and with much magnificence, and having formed an establishment, with a governor at its head, to regulate the affairs of commerce, and selected a sufficient number of well disciplined troops to garrison the place, he returned to Cochin. But the restless ambition of Albuquerque, this valuable conquest seemed to in-

spire rather than compose. A Portuguese squadron, under the command of Sequira, employed in making discoveries in the Bay of Bengal and the eastern seas, having the preceding year landed at Malacca, where he and his people had narrowly eluded a traiterous endeavour to cut them off, and where a few of them were still detained as prisoners, Albuquerque resolved to sail thither with a powerful fleet, and not only to demand the immediate release of the prisoners, but an ample reparation for the injury they had sustained. On his arrival at Malacca, the prince of that place refused to consent to the terms of accommodation which he proposed, in consequence of which, Albuquerque immediately invested it both by sea and land, and after an obstinate resistance carried it by storm. Some idea may be formed of the wealth of this city, from the value of one-fifth of the property taken by the captors, which was allotted for the King of Portugal, and which was sold to the merchants of Malacca for about 80,000 sterling. Having fortified this place, and garrisoned it with 200 of his best men, he sailed for the coast of Malabar; but, in his passage thither, he had the misfortune to meet with a tempest, in which he lost the greatest part of his fleet, together with the valuable spoils of Malacca, and the violence of which, his own ship, with great difficulty surmounted.

When he reached Cochin, he received the unpleasant intelligence of some disturbances having arisen at Goa. He consequently repaired to that settlement, reduced the insurgents, and restored tranquillity in the island. But another distant and important expedition now engaged his attention. The island of Ormuz, situated at the mouth of the Persian Gulph, he had long been ambitious

ambitious to add to the other conquests of the Portuguese in India. The many advantages which it possessed for carrying on a trade with Persia and Arabia, to say nothing of the opulence which it had already derived from that trade, rendered the acquisition of it an object of great consequence, and the intestine broils with which it was at this time distracted, made the attainment of that object a matter of little difficulty. Albuquerque, therefore, having heard of these commotions, lost not a moment in availing himself of them. He fitted out a formidable expedition, and sailed to Oimuz, where he arrived in the course of six weeks after his departure from Goa. Turran Shah, king of the island, alarmed at the appearance of so large a fleet, demanded to know whether he came with an hostile or pacific view? The reply of Albuquerque was but little calculated to quiet the apprehensions of that weak and timid monarch. He sent him word, that if Turran Shah would acknowledge himself as a tributary to the King of Portugal, deliver up to the Portuguese the command of his capital, and permit them to build factories in his island, he should ensure his person, private property, and household, from all molestation whatever, but, if he acceded not to these propositions, he should immediately land a powerful force, destroy the capital, and lay waste the whole island. Turran Shah, intimidated by threats, and, moreover, conceiving that the vassal of a foreign prince was a condition, at least, not less degrading than that of being governed by a factious minister, or a few turbulent and rebellious nobles, he reluctantly consented to the harsh terms proposed by Albuquerque. Thus the Portuguese obtained possession of Ormuz;

and the fame of their arms, already so great, was now spread throughout the nations of Asia as well as of Europe.

This acquisition opened other views to the speculative mind of Albuquerque. He had now established the power of the Portuguese in India, and the whole trade between that country and Europe was exclusively in their possession, but he apprehended, that if the Turks turned their thoughts to Indian commerce, they would make great exertions to divert it into its ancient channel. His apprehensions were founded on just observations of the principles of trade, and of the interests and power of the Turkish empire, but the scheme which he formed for opposing those interests and that power, betrays an ardent rather than a reflective mind. He conceived that the King of Abyssinia might have been persuaded to allow a channel to be cut from his dominions to the Red Sea, into which the stream of the Nile might be turned, and thereby deprive Egypt both of the source of its fertility, and of the principal means of carrying on the Eastern trade. Big with this project, he hastened back to Goa, in order to make some preliminary arrangements for putting it in execution, but soon after his arrival there, he was seized with a fever, of which he died in a few days.

The eminent abilities of this distinguished man, the singular good fortune which attended all his enterprises, the important consequences which resulted from them, the high place which he held in the estimation of his countrymen, the regard which he acquired among foreign nations, and the veneration which is still shewn to his memory in India, demand a fuller delineation of his public character, than the

the inherent excellence of the qualities that composed it would otherwise justify. Some of these qualities were indeed of a very noble kind; generous feelings, humanity, humanity, and promptitude, displayed a noble mind, which his faults, however, did not detract from, but the spontaneity of talents which blinded his comparisons to his imperfections, serves to render them conspicuous to us. His generosity was liable to the inspiration of every guest, his courage took on fire, his inflexibility of obedience, and his acuteness, vigilance, and promptitude, were worth informed by an enlightened society, not regulated by a solid judgment, so that the success which crowned his public measures, must be attributed to the spirit that conducted them, rather than to the wisdom with which they were framed. The history of his government in India, sufficiently shows that his talents were much more fitted for action than speculation. Though his mind was perpetually occupied in forming schemes for extending the power and the commerce of his country, yet few of these were founded on just principles or accurate information, many of them were chimerical, and some of them preposterous. With the same force that he employed in plundering Malacca, or in taking possession of Ormuz, he might have subjugated the whole of the Malabar states, and thereby have given a permanency to the Portuguese commerce, which, from the petty conquests of small islands, or the establishment of factories distant from each other, it could never derive. But the ambition of Albuquerque acted from the impulse of the moment, and he often embarked in the execution of a project before he had duly considered his

means, or obtained the requisite information for pursuing it. Nevertheless, the bold, vigorous and address which he displayed in the conduct of his military operations, together with the affection and patriotic motives which prompted him to undertake them, enabled him to the place of being an able and gallant officer, whose understanding prospered, and not immoderate, and whose principles could not corrupt. He certainly merits not the character of a wise statesman, but it may be observed, that with a mind so constituted, as he had been still less of a statesman, he would have been a greater general.

He who succeeds to a man of such shining parts as Albuquerque in a place of high responsibility, and who fills that place with satisfaction to the public, must be possessed of no ordinary degree of confidence and of talents, even greater than those with which his predecessor was endowed. Men of sound sense and experience, aware of the peculiar difficulty of performing the duties of an elevated station, under such circumstances, with credit or advantage to themselves, though they may be tempted to accept, will at least not be forward to embrace a situation of so much delicacy and hazard. In cases of this sort, therefore, such offices are usually grasped at by men of little minds, and exceeding vanity, who measure the difficulties of the trust they are to hold by their own narrow capacities, and thereby prove themselves equally ignorant of both. Thus Lopez Suarez succeeded Albuquerque in the government of the Portuguese possessions in India, but, altogether unequal to the arduous situation he had too rashly accepted of, he was soon recalled in disgrace. Fortunately for Portugal, his successor, James Lopez, repaired the errors of

of his misgovernment, previous to the death of Emanuel in A. D. 1521, otherwise that event might have rendered them inevitable. But things having been restored to their former state, the loss of this illustrious prince was felt severely, and the projects of the discoveries, and commerce of the Portuguese in the East, met with no interruption.

John the Third, though he did not inherit the talents of his father, was endowed with the liberal and patriotic spirit, and had the good sense and steadiness to pursue the same line of conduct with an undeviating course. Soon after the accession of John, a strong squadron was fitted out, and sent from Goa, under the command of Garcias Henriquez, for the purpose of making further acquisitions to the eastward. He sailed first to the island of Java, from whence he proceeded to Borneo and Celebes, and, passing the Straits of Macassar, which are formed by these two islands, he arrived at the Moluccas. Having visited the islands of Banda and Muna, he sailed for Tidore, where he fell in with and captured one of the ships belonging to Magellan's fleet, which had been driven by a storm among these islands, but which the jealous Portuguese treated as an enemy, upon the absurd principle already stated, that the kingdom of Portugal had a right to the exclusive trade of the eastern seas, and, with a view to enforce this principle in the Spice-islands, he erected a fortress in the island of Ternate, and forbade the inhabitants, under severe penalties, to vend their spices to any other nation than the Portuguese. for, in regard to this particular trade, they had to guard not only against the rivalry of Spain, but likewise against that of the Chinese and the Arabs, the first

of whom had carried on a commercial intercourse with the Moluccas from time immemorial, and the latter had long been the carriers of the spices which were introduced through Egypt into Europe. About this time the venerable Vazquez de Gama was once more called from his retirement, to take upon him the government of the Indian settlements; but, on account of his advanced age, a commission was made out for Henry de Meneses to succeed him in the event of his death. This turned out to be a necessary precaution, for Gama did not long enjoy the viceroyalty of India. His constitution was too much enfeebled to endure the noxious influence of the climate, and he died of a fever a few months subsequent to his arrival at Goa. De Meneses succeeded him in the government, agreeably to the tenor of his commission; but he likewise died in a few months. The precaution that was taken in respect to the appointment of a successor to Gama, now appeared, by a sealed letter, which was opened on the death of Meneses, to extend to several other officers, but when a precaution is carried too far, it is apt to produce the very evils against which it is intended to provide. So, in the present instance, the appointment of a number of subordinate officers to succeed eventually to the supreme government, instead of preventing, gave rise to dissensions, which had nearly ended in very serious consequences. Pedro Mascarenhas, on whom the viceroyalty devolved on the decease of Meneses, being at that period at Malacca, the next in succession caused himself to be proclaimed governor, and took upon him the responsibility and the duties of that station. As soon as Mascarenhas received intelligence of what had happened, he repaired to

Goa,

Goa, and demanded that the officer who had so improperly assumed the government would instantly resign it; but a man under such circumstances, if he possess sufficient firmness, will seldom be persuaded to relinquish his power, by any arguments however solid or just. The demand of Mascarenhas was treated with contempt, and he appealed to the justice of the people of Goa to vindicate his cause. Hostile factions were consequently formed, and discussions ensued, which were maintained on each side with a warmth that seemed to threaten a civil war, when the arrival (from Portugal) of a claimant, who possessed greater address, if not greater pretensions, induced the people to put an end to the contention, by deciding in his favour. Mascarenhas, however, returned to Lisbon, and represented the matter to the King, who gave him an adequate compensation for the loss he had sustained, and issued a new regulation, by which the recurrence of any controversy respecting the succession to the supreme government in India was effectually precluded.

The dispute between the Spaniards and the Portuguese, in regard to their respective rights to the sovereignty of the Spice Islands, which had originated in the capture of the ship belonging to Magellan's fleet, was revived about this period (A. D. 1542) by Henriquez, the Portuguese governor of the Moluccas, and Igniguesza, the admiral of the Spanish fleet, sent thither by the emperor Charles the Fifth. The two commanders held several conferences on this contested point, but, seeing little probability of deciding it by argument, they had recourse to arms. Charles, however, not choosing to involve himself in a war with Portugal, on account of these remote

islands, the advantages of which were at least dubious, sent orders to Igniguesza to abandon them, and entirely renounced his own claim to them for a small pecuniary consideration *.

The Portuguese having thus obtained an undisputed monopoly of the spice trade, they pushed their voyages still further to the eastward, and opened a commercial intercourse with China and Japan, and while their affairs in the eastern islands assumed this prosperous aspect, their influence in the peninsula of India became every day more powerful. During the active administration of the Viceroy Sampayo, the islands of Bombay and Diu, together with the ports of Basreen and Duman, and several inferior places on the coasts of Baglana and Guzerat, were reduced under the dominion of Portugal; so that from the island of Ceylon to the mouths of the Indus, the Portuguese now possessed a continued chain of settlements. In A. D. 1550, the Turks, exasperated at being shut out from all communication with India by sea, fitted out a formidable armament at Cosier on the Red Sea, with the determination to make themselves masters of Diu, and the other places belonging to the Portuguese in the Gulph of Cambay; but, as unsuccessful attempts to diminish the power of a rival nation always tend to augment it, so the expedition of the Turks, being encountered by a Portuguese fleet off Diu, and totally defeated, served only to give additional strength and stability to those establishments which it had been employed to demolish. Thus the Portuguese in India became triumphant in arms, as well as flourishing in commerce, and wise in government; and at the death of John the Third, in A. D. 1557, they

* See Sir William Monson's Naval Tracts.

they had reached the pinnacle of their greatness. John was the last of those illustrious kings to whose genius the Portuguese were indebted for the splendid achievements which we have enumerated, and which gave them a rank and character in the world far beyond what was to be expected from the natural condition of their country, or the usual advancement of nations.

In the succeeding reign of Sebastian, an unfortunate change took place in the general policy hitherto pursued by Portugal, which, if it was no productive of any immediate detriment to her Indian commerce and possessions, it at least paved the way for the introduction of these pernicious measures that so much contributed to ruin them. Animated with a religious phrensy, he totally disregarded the example of his ancestors, and made it his sole ambition to propagate the Romish faith. The notions which gave rise to this fatal passion, had been instilled into his young mind by Lewis de Camarra, a Jesuit, under whose care he had been educated, and, at the time he ascended the throne, they had taken such an entire possession of his faculties, that he could turn his thoughts to nothing else. The first proposal he made to his ministers was, to go himself to India, at the head of a large army, attended by a numerous retinue of priests, in order to convert, by force of arms, the whole of the inhabitants of that country to the Catholic religion, and though he was dissuaded from embarking in this ridiculous but wicked project, he could not be prevailed on to abandon his views. The religious establishment in India was accordingly enlarged; an archbishop was appointed to preside over it; and the viceroy was strictly enjoined to assist the ministers of the church, with the whole

force and influence of government, in converting the Hindus. Henceforward the Portuguese seemed inspired with a new zeal in the cause of religion, the propagation of the Christian faith in Hindustan became the primary object of their policy; and they carried their schemes for that purpose into execution, with a deliberate and systematic cruelty, more atrocious, because less enthusiastic, than even that of the Mahomedan conquerors, which in our former chapter we endeavoured to depict. The death of Sebastian in A. D. 1579, made no alteration in this policy. the reign of Don Henry was too short, too feeble, and too dissidentious, to permit the ministers of that Prince to pay any attention to Indian affairs; and, after Portugal was subjected to the dominion of Philip the Second of Spain, in A. D. 1580, the wishes of the Jesuits met with the most strenuous encouragement. In consequence of these circumstances, the Portuguese became altogether intolerable to the natives of India; and their conduct excited universal indignation, and provoked incessant wars with the Princes of Malabar, in which, though they added some districts to their territorial possessions in the vicinity of Goa and Cochín, they entailed indelible disgrace on their name and character. These wars were carried on with more or less violence, and with few cessations, during the sixty years that Portugal continued a province of Spain; and whilst the Portuguese thereby multiplied the expences of their Indian government, they neglected the sources from which those expences were defrayed, the arts of industry were considered as secondary objects of their attention, and their commerce gradually decayed.

To detail those proceedings would be

be equally uninteresting and disgusting. The Mussulman conquests in Hindustan, as they produced important revolutions, it was essential to trace, and the brilliancy of their progress justified us in representing the enmities with which it was marked. But the wars in which the Portuguese were engaged never extended beyond the neighbourhood of their own settlements, and they were little regarded by any of the larger states in the interior of the peninsula, until the middle of the seventeenth century, when the Mahattas, under the valiant Savages, enraged at the shocking cruelties they committed in propagating the Christian faith, marched against them, and drove them back into their fortresses*. In their mode too of conducting those wars, they incurred all the guilt, without gaining the glory of the Mussulmans: in the history of their atrocities, we do not meet with one heroic action, and the mind revolts from the dull chronicle, that exhibits wars without splendour, courage without generosity, and religion without virtue. We shall, therefore, proceed to notice the extent and value of their possessions taken collectively, and to point out the causes which impaired and finally ruined them.

It has been stated, that at the time Portugal fell under the dominion of Spain, the Portuguese possessed a chain of settlements along the western coast of India, from the mouths of the Indus to the island of Ceylon, besides which, on that side of the peninsula, they had the island of Ormuz at the mouth of the Persian Gulf, and the port of Muscat on the coast of Arabia. In Ceylon, the towns of Columbo, Point de Gall, and the harbour of Trincomalee, belonged to them, together

with an extensive district in the vicinity of the first of these places. On the coast of Coromandel, they had factories at Negapatam, St. Thomas's, and Masulipatam. In Bengal, they had a factory at Baidel, a place situated on the river Hoogly, about thirty miles above Calcutta with the port of Rangoon in the kingdom of Pegue, they carried on a very considerable trade, and had supercargoes stationed there. Their settlement at Malacca, and their possessions in the Molucca islands, have been already described. In China they obtained possession of the island of Macao, in consequence of having assisted the Chinese in capturing a pirate who had long ravaged their coasts. and in Japan they were allowed to build a factory, in consideration of the valuable trade which they carried on with that country.—All these possessions, together with the ports of Sofala, Mombasa, and Molambique, on the east coast of Africa, were subordinate to the supreme government at Goa, where a viceroy presided over the civil and military, and an archbishop over the ecclesiastical affairs of the whole of this extensive range of settlements. The crown of Portugal derived from these settlements, during a period of above fifty years, a clear annual revenue of 250,000*l.* after paying the salary of the viceroy (4000*l.* a year), together with that of the subordinate governors, and the whole expence of the civil, military, and church establishments. This revenue was drawn from the duties levied on all goods exported and imported at the different places that have been mentioned, from the tributes paid by some of the small states on the coast of Malabar for the protection afforded them, and from

* We shall have occasion to take particular notice of this war in our account of the rise and progress of the Mahatta states.

from the sale of those vessels that were captured when found trading in the Indian Seas without a passport from the Portuguese viceroy. With respect to the trade between Portugal and India, we have no *data* wherewith to form an exact estimate of its profits, but from the quantity of goods sent annually to Lisbon, from the known value of those goods in India, and from the prices which they fetched at that time in Europe, we may conclude that the profit upon them could not have been less than 150,000*l*. The Portuguese historians state, that a fleet of twenty ships, each of about 500 tons burden, sailed regularly every year from Goa to Lisbon, laden with the commodities of India and China, and though not noticed by those writers, it is known that Indian commodities then produced in Europe a profit of thirty per cent. In estimating the wealth which Portugal derived from her Indian settlements and commerce, the private fortunes of individuals must also be taken into the account. In the course of the fifty years alluded to, some of the viceroys returned to Portugal with 300,000*l*. several of the governors and generals with 100,000*l*. and many subordinate officers, both civil and military, with from 20,000*l*. to 50,000*l*. The priests, too, realized considerable fortunes, both from the exorbitant exactions which they were authorised to make, and from plundering the Hindu villages, in order to compel the inhabitants to embrace the doctrines of the Romish church. It appears indeed sufficiently evident, from the candid narrative of John de Bapros, that all those fortunes were acquired by the most iniquitous means, and that in proportion as they added to the opulence, they promoted the cor-

ruption, and accelerated the downfall of Portugal.

Such was the state of the Portuguese possessions in India when they became subject to the crown of Spain. A few of the leading causes to which the decline of those possessions are to be attributed, have been already noticed: we shall now recapitulate these causes, and bring into one point of view the whole of the circumstances that assisted their operation. The fundamental error in the policy which Portugal pursued with regard to her Indian trade, and what may be considered as the principal cause of its ruin, was the tyrannical assumption of an exclusive right to that trade, and to the navigation of the eastern seas.—During the reign of Emanuel, whilst Europe was filled with admiration of the splendid achievements of the Portuguese, and awed not less by the superiority of their naval power, than the great talents of their King, rival nations wanted the ability, if not the spirit, to resist the exercise of that assumed right, but a much less degree of sagacity than Emanuel possessed, might have assured him, that a fancied right, in itself hostile to every principle of justice, and incompatible with the independence of other states, could not possibly be maintained for any length of time. Blinded, however, by his national prejudices, he pursued his scheme of ambition, and enforced, with the utmost rigour, those arrogant pretensions, in contempt of the remonstrances, and in defiance of the power of the rest of Europe. The usual jealousy that commerce generates among nations, was thereby fomented and embittered, and this jealousy burst forth upon the first disaster that befel Portugal. All the power of Philip the Second, the most powerful monarch of his

time, was unable to protect the Portuguese settlements in India against his own revolted subjects, the Dutch, who, incited equally by envy of their riches and enmity towards him, had attacked them with a spirit and vigour which they were ill prepared to resist. Wasted both in strength and resources, by the frequent wars with the native states, in which their religious zeal involved them, the Portuguese felt their power in India on the decline, even before it was attacked by the Dutch; and their settlements were rendered still more vulnerable, from the rules of Portugal being at that time unable to give them the smallest assistance, owing to the distracted state of her internal affairs, and to the wars in which she was engaged with the crown of Spain after the death of Philip. Hence the Dutch, in the course of forty years, wrested from the Portuguese their settlements in Ceylon, and in the Spice Islands, together with many others of less value, which shall be adverted to in our subsequent chapters, and their trade, greatly narrowed and depressed by these losses, fell by degrees into the hands of their rivals. To the causes we have mentioned there were added others, which, though slower in their operation, were equally certain in their effects, and which counteracted all the endeavours of John the Fourth, after

he ascended the throne of his ancestors in 1641, to avert the fall of his Indian empire. The religious wars necessarily induced a relaxation of the peaceful arts; and the terrors of the Inquisition which had been sent to India by Philip the Second, kept the Portuguese merchants in slavish bondage to the church. No speculations, however conducive to the interests of commerce, could be embarked in, unless they had also a direct tendency not only to forward the views, but to increase the wealth of the clergy. The viceroys of Goa being appointed to that station, on account of the fervency of their religious principles, not from the independency of their characters, or the influence of their talents, they readily submitted to this ecclesiastical domination, provided they were not hindered from amassing riches themselves. Thus the propagation of the Christian religion, and the acquisition of private wealth, became the only objects of the Portuguese government in India. An abandonment of every generous and honourable principle, and a total dereliction of all military discipline, took place; a general avarice and venality prevailed, and the Portuguese empire in India, which once excited the wonder and envy of Europe, by the combined operation of all these causes, was impoverished, degraded, and dissolved.

CHRONICLE.

MAR.

CALCUTTA, May 18, 1799.

YESTERDAY evening, between five and six o'clock, we had a violent thunder storm, which was attended with some melancholy accidents. The house of Mr. Cumming, of the Calcutta academy, was struck by the lightning, by which accident, we are sorry to say, that Master William Burnet, eldest son of Brevet Captain John Burnet, aged about twelve years, and Master Hector Coote Healy, only son of the late Lieut. B. W. Healy, of this establishment, aged nine years and two months, were unfortunately killed, and Master Thomas Cawley Dubois was thrown down and stunned, but not materially hurt.—It is said that no less than 18 persons were killed by the lightning.

At about a quarter past eight in the evening of the 30th April, a fire suddenly broke out among the Bungalow huts, at the back of Chunareetolah, in the vicinity of the Bow Bazar; which, after rapidly consuming a few of these combustible habitations, communicated to and destroyed the venetians, &c. of a pukka-built house, the residence (we believe) of some native; at which time, the wind blowing strong from the south, the flames continued to rage among the thatched huts with unrelenting violence and fury, consuming 80 or 100 of them in less than half an hour, and exhibiting a scene of devastation and calamity that must have excited all the feelings correspondent with humanity

in the breast of every spectator. To the circumstance of the fire having begun at so early an hour in the evening, we probably owe the negative satisfaction of not having heard that any lives were either lost or endangered by this accident.

Extract of a letter from a Cavalry Officer, dated Camp Mooree Jahala, April 21.

“ The detachment arrived here on the 11th, and in the evening of that day, a grass-cutter of the 1st regiment was seized and devoured by a tigress, eight feet ten inches long. A party was formed the next morning, who went out to attack her in the place of her retreat, not 400 yards from our lines. In endeavouring to drive her out of her den, two male tigers darted out successively, and were both shot before the female made her appearance, when, after three desperate charges, she also fell, and was cut to pieces with tulwais. The party consisted of the camels of the detachment, and only a few troops on horseback, whose ardour the officers found it very difficult to restrain; and from the number of shots fired in every direction, it was, upon the whole, a fortunate circumstance, that only one man was wounded by a carbine ball, besides three others whom the tigers sprung upon. The two male tigers did not measure eight feet. We had every reason to expect quiet nights, after destroying our dangerous neighbours, but we found that the country abounds with tigers; for the alarm was given three successive

cessive nights, but every endeavour to find out the retreat of one of those animals proved abortive.

"On the 13th, a man was carried away by a tigress, and from our having missed a hawk (we have reason to suppose it is the dawl bircarrah), the next morning, a party of a few troopers, armed only with pistols, and the camel-riders (troopers) who were only allowed to carry their swords, was ordered out. At sunrise this morning, at the distance of five miles from camp, in a thick, small jungle, on the borders of a nullah overgrown with high grass, the party in search of the tigress started her, when she commenced the attack,—the horsemen immediately returned the charge with a volley, which had no other effect than that of making her retreat. The size of this animal was such, that Major Wharton sent a man to camp to bring a reinforcement of a few men armed with carbines, but, before these could arrive, the tigress renewed the attack, and made some furious charges (which the riders avoided by their dexterity in turning their horses), and retreated into the bed of the nullah, where the horses could not follow her. In consequence of this, the pistols were given into the hands of the troopers on camels, who advanced boldly into the nullah. The tigress, grown desperate, was making a most furious spring at one of the troopers, when he, with the greatest steadiness, fired his pistol just as she had sprung, hit her in the head, and brought her to the ground.—On measuring her, she was found to be nine feet four inches.

"It is unusual to hunt tigers with camels and horses, and although the latter went forward with great boldness, yet they were surpassed by the former, which, I think, from what I have seen, is preferable in this respect to elephants."

It is now pretty generally known that wood oil is of a very combustible nature, and as it is frequently used on board ship, we publish the following circumstances, which occurred on board the ship *Ajax*, on her passage from Calcutta to Cannanore, as a caution against the evil effects of not properly securing it—"While off the Island of Ceylon, during three days there was a very uncommon smell of oil in the fore part of the ship, close to the lazaretto, and, towards the close of the third day, fire was also smelt in this alarming situation the strictest search was made, to discover from whence it arose, and upon removing some gunny-bags that were stowed close to the lazaretto, it was found that those which were undermost were on fire, and, upon being exposed to air, burst out into a flame. After a close examination into the cause, it appeared, that a dubber of wood oil, which stood near the place, had leaked; and the oil running under the gunnies, those in the centre had taken fire, and would in all probability have destroyed the ship, had not the smell providentially caused the discovery."

BOMBAY, April 8, 1799.

This day arrived here, in the *Milford*, six of the unfortunate crew of the snow *Duncan*, of this port, which left Calicut on the 27th of January for Bombay, and about the latitude of Pigeon Island, two degrees off shore, on the 1st of February, she overfet. Among the sufferers on this melancholy occasion, it is with very sincere concern we find that Captain Manly, of this establishment, was of the number; Mr. Donelan, of this place, and 14 other persons, also perished. Captain Leyburn, Mr. Moriarty the gunner, and 23 others, got on the bottom

bottom of the vessel, where they remained two days they were then providentially taken up by a dargay and a dove, and carried to Muskat, from whence 20 of them proceeded to Mocha.

The *Misford* also brings a second officer, and part of the crew, of the Danish ship *Copenhagen*, Captain Jepson, respecting which we have been favoured with the following particulars —She came from Batavia, bound to Muscat, and was lost at 11 o'clock at night on the 17th of last month, about five or six miles to the S. E. of the port: every person was saved, although she went entirely to pieces in a few hours after getting on shore.

An Account of an Expedition from Surat to the Bunder of Goomtee, in the Gulph of Cutch.

Our advices from Surat mention, that in consequence of some of the northern pirates having captured a ketch with cattle on board belonging to the Honourable Company, Daniel Seton, Esq. our chief at Surat, early in March dispatched Lieut Keys in the *Prince's Augusta*, accompanied by the *Prince's Royal*, Lieut. Hawkefwell, and a small boat called a *malajery*, to proceed to the Bunder of Goomtee, to demand the restitution of the property. As no such place is laid down or mentioned in any of our charts or sailing instructions, Lieut. Keys judged it expedient to proceed to the Portuguese settlement of Diu, to obtain some information. he was received with much politeness and attention, and was informed that Goomtee was situated on the east side of the Gulph of Cutch, but that its approach was extremely difficult on account of the many dangerous banks that surround it. The Governor of Diu very obligingly gave Lieut. Keys a letter to the Rajah of Poor Bunder,

who is tributary to the Portuguese, to furnish him with pilots.

This little fleet sailed from Diu on the 6th of March; but, owing to blowing weather and adverse winds, did not reach Poor Bunder until the 15th, where, having obtained pilots, they immediately proceeded to Goomtee, and on the 18th anchored in the roads in fifteen fathoms water—the anchorage, small shells and sand; Jaigat Pagoda, which forms the N. W. side of Goomtee Creek, bearing N. E. $\frac{1}{2}$ N., and Jaigat Point, which forms the south side of the creek, bearing N. E. distant about three miles.

On the 19th, at day-light, Lieut. Keys sent Lieut. Conyers on shore, with a letter directed to the Rajah of Oacka, to demand restoration of the ketch, together with 33 draught oxen belonging to the Honourable Company, or their value, for which purpose twenty-four hours would be granted, also to endeavour to prevail on the Rajah of Goomtee to come on board the *Prince's Augusta* —Lieut Conyers was particularly directed to observe how near the vessels might approach the town in safety. At 10 a. m. Lieut. Conyers returned on board, and reported that he had delivered the letter, addressed to the Rajah of Oacka, to the Rajah of Goomtee, which he immediately dispatched, accompanied by a letter from himself, but as Oacka is situated about thirty miles from Goomtee, they were obliged to extend the time from twenty-four to forty-eight hours. The Rajah, on being questioned, denied that the vessel had been captured by the people of Goomtee; said, if she had, he would have immediately delivered her up, or any other British property, that his boats never cruised against the English, but only against the Arabs; and with apparent sincerity offered

our vessels any assistance they might want.

Lieut. Conyers carefully sounded and examined with what probability of success the place might be attacked, which he found would be wholly impracticable by the vessels, as they could not approach the shore sufficiently near to act with effect: the bottom is loose stones and sand, the Rajah has from eight to nine hundred in arms, but he conceived the boats in the creek might be destroyed. Whilst Lieut. Conyers was on shore, he saw a batilla, which he was informed had belonged to Mucan Dewah, a merchant at Surat, and had been captured twelve months ago. The Rajah promised that he would pay a visit to Lieut. Keys, on board the *Princess Augusta*, when the answer should arrive from Oacka.

On the 20th, the time being expired for the return of the answer, Lieut. Conyers was again dispatched on shore, with further instructions, also to demand the restoration of the batilla belonging to Surat. On his landing he was met by the Rajah, who informed him he had received an answer, and that the Rajah of Oacka had agreed to deliver up the ketch, but neither the bullocks nor their value. On being questioned if the people of Oacka were to bring the ketch round? he answered, in a very evasive manner, that he did not know; that he expected two men from that place, who would inform them more particularly on the subject; but when they were to arrive, he was ignorant. Respecting the demand of the restoration of the batilla, he said she belonged to Bownaghur, and that he would not deliver her up, unless he received a written demand from Bombay; and immediately left Lieut. Conyers.—From the whole tenour of his conduct, and the difference of his be-

haviour at the first interview, to his mode at present, Lieut. Keys easily perceived nothing could be done by negotiation, and that coercive measures alone were likely to succeed, he accordingly manned and armed the malassery, and a boat from each vessel, with a party consisting of one midshipman, six European soldiers, one havildar, one native, sixteen sepoy, one syrang, one tindal, and fourteen lascars, besides the crew of the malassery, and at half past ten, they proceeded to Goomtee creek, under the command of Lieut. Conyers, with instructions to destroy, by fire or otherwise, all the boats and vessels he could come at, and to do as much damage to the town as he could, consistent with the safety of the boats and party under his command.

At one p. m. Lieut. Conyers, with his party, returned to the *Princess Augusta*, with the following report.—In pursuance of the orders he had received, he proceeded up Goomtee Creek: on his approaching the shore, he perceived the enemy had posted a strong party on the north side of the entrance of the creek, and reinforcements were marching from the great pagoda: on getting within musket-shot of the point, the malassery was brought to an anchor immediately without the entrance of the creek, and as near the shore as safety would permit; at the same time commencing a brisk fire from the swivels and musketry, which compelled the enemy to give way in that quarter, and take refuge under the cover of a dingey and a small pagoda, the boats pushed on to the creek, keeping up their fire at the same time on the dingey, where the enemy were posted, they returned a smart fire on our advancing, supported by three or four small guns and some musketry from the great

great pagoda. After keeping up the fire pretty briskly for some time, the enemy posted under cover of the dingey began to give way, and retreat to the small pagoda, where they could be more effectually covered from our fire : on this the boats pushed on for the dingey and a gallivat, with an intention of destroying them : the enemy, perceiving this movement, assembled in large bodies at the great pagoda and the town, and marched directly for the dingey, which encouraged the retreating party to rally again. Observing their force so very superior, and the impossibility of any further effectual attempt on either the dingey or gallivat, which were lying close in with and covered by the guns at the great pagoda, it was judged most prudent to retreat, the enemy having also now opened a fire upon the boats from a large gun at the pagoda, and the reinforcement at the dingey had also renewed their fire, which was smartly returned by the boats until clear of the creek. It is with pleasure we learn that no casualties happened on our side during this conflict, though several shot struck the *Princess Royal's* boat. It is supposed the enemy must have suffered severely, as they were observed carrying away what was supposed to be their killed and wounded, from the party stationed at the dingey, towards the small pagoda.

Though the attempt to destroy the vessels in the creek was not attended with the wished-for success, yet the service was conducted by our boats with a spirit and activity that reflects the highest honour on the officers and men employed on this occasion.

The town of Goomtee surrounds Jaigat pagoda : the creek is small, and very shallow ; it lies in latitude 22° 13' N.

It appears that during the con-

versation between Lieut. Conyers and the Rajah of Goomtee, he acknowledged the ketch lying at Oacka, but that the bullocks had been sold, and the money, as usual, divided amongst the captors.

Where the *Princess Augusta* was at anchor, they could see, from her main-top, the mast-heads of a ketch, and several boats in Rossan creek, which is commanded by a fort on each side the entrance. Little doubt seems to be entertained that the ketch had been captured by the Goomtee people : we understand they have upwards of forty cruisers, one a decked vessel, carrying eight carriage guns. Any vessel visiting Goomtee ought to be provided with an anchor chain, as the bottom is very rocky.

JUNE.

CALCUTTA, June 1, 1799.

On Thursday afternoon, the 23d ultimo, a severe thunder-storm was experienced at Barackpore and Serampore. The wind was so violent for ten minutes, that the flag-staffs at both places were broken : the bungalows suffered very much in their roofs, and the windows of several giving way, admitted a torrent of rain, mingled with hail, to the no small annoyance of the inhabitants, and destruction of furniture. many pillars in the verandahs were cracked, and some thrown down. The river exhibited a scene of equal distress : many boats were overset ; and such of the crews as could not swim, or were unable to secure a place on the wrecks, perished. A Danish snow went down at her anchors : only the top-masts and yards remained above water—on which the crew were clinging, and looking earnestly for relief to the shore, from whence no one durst venture

venture off to their aid—till the Rev. Mr. Fuchtenicht, a Danish missionary, sprung into a boat, and, by the offer of reward, seasonably reinforced with menaces and a vigorous application of his cane, prevailed on the Mangy and Dan-dies to carry him to the wreck, and carry the trembling wretches to the shore. The hurricane, so dreadful in its effects, fortunately was confined within very narrow bounds. At Calcutta, the gathering of a few clouds, and the rolling of distant thunder, gave merely some slight indications of a north-wester, which soon vanished, and neither at Chandernagore, Chinsurah, nor even at Pultah, was the gale felt with any degree of violence.

On Thursday the 30th ult. about four o'clock in the afternoon, one of the press-houses at the Honourable Company's powder manufactory near Pultah blew up. In the space of a few seconds the fire communicated to three coining-houses, one breaking-house, and two sifting and separating-houses: the roof of one of the piston mills was a good deal shattered by the concussion, but no other part of the works injured. About eight or ten natives, employed in the works, were unfortunately killed by this accident. The quantity of powder exploded is computed at 244 barrels and 56 pounds, or 24,456 lbs. Several houses in the village of Ihapore were in a blaze a few minutes after the accident. Nothing has yet been discovered that can lead to the cause of this explosion. It was heard and a tremor of the ground felt in Calcutta, occasioning, during that and the following day, various meteorological conjectures.

An unfortunate accident happened a few nights ago on board the extra ship the *Essex*: The gunner of that vessel having, by mistake for

brandy, drank off, in the dark, a large draught of spirits of turpentine, was found dead the next morning.

A woman, named Mary Antony, was convicted, on the 14th inst. at the half yearly session of Oyer and Terminer, of the murder of William Wray, a private in his Majesty's 76th regiment, by stabbing him in the left breast with a knife. She was ordered for execution on the 17th. A native was also convicted of the wilful murder of his wife, and ordered for execution at the same time.

On Monday evening the 17th instant, Mary Antony, a native Portuguese, and Ram Dial, a Hindû bricklayer, were executed, pursuant to their sentence. The prisoners were drawn on an open cart to the place of execution at the head of the Loll Bazar, which they reached at five o'clock. Both were greatly affected. The woman presented the appearance of extreme grief. Her long dishevelled hair covered her face and bosom, she was overwhelmed in tears, and constant convulsive sobbings bereaved her of the power of vocal utterance. The Hindû was much agitated; but, as the moment of execution approached, he became more composed, and appeared to meet his fate with calm resignation. The Rev. Dr. Mackinnon humanely attended the woman. After a very few minutes spent in devotion, the cart was driven away, and the criminals passed into eternity. A coffin had been prepared for the corpse of the Christian. The bodies, after hanging the usual time, were cut down, and carried away on the cart for interment, according to the forms of religion to which they respectively belonged. — An immense concourse of natives, of all descriptions, assembled to witness the melancholy scene.

A regular dawk communication is now established between Madras and Seringapatam, and the letters are conveyed in the course of two or three days.

The following detail, respecting the meritorious conduct of the Coorga Rajah, is taken from the Bombay Courier of the 18th ultimo.—Hearing that Meer Mahomed Ally, an officer of Tippoo, with 200 Carnatics, were stationed in the Pettah of Buntwall, he immediately marched a party to attack them, who killed forty of them, compelling the rest to take refuge in a neighbouring pagoda. The Coorugs, being unable to make any impression on the pagoda, went in pursuit of some hundred head of bullocks, which induced the Aumildar of Buntwall to make an effort to save them, with which view, he, and a principal officer of the Kaffibbeh, collected 300 Nairs and Moplas, who attacked the Coorugs, but were worsted after a severe conflict, leaving half their number dead on the field, with very little loss on the Rajah's side. The inhabitants of Buntwall then deserted the Pettah, and the complete pillage of it ensued, after which the Coorugs retired to Purkumbah, in their own district of Puttoor.—Shehab-ud-Deen, Aumil of Mangalore, taking the alarm at this incursion, determined to revenge it, and in a few days assembled a body of Moplahs and Carnatics, to the number of 5000 men, who marched early on the morning of the 12th ultimo against the Coorugs at Purkumbah, who at that time did not exceed 800. They had received intimation of the enemy's approach, and made the best disposition for meeting them, by forming themselves into two bodies of 400 each, under two officers named Kulhiant

Beddena and Boopo, who waited the very near approach of the enemy, and, after a single discharge of their fire-arms, rushed impetuously on them with their war-knives, dispersing them almost instantly. The loss of Tippoo's people is stated at 300, and 200 wounded carried off to Mangalore. Shehab-ud-Deen is said not to have been in the action himself, the troops being under the immediate command of his nephew, Nanneth Sadree. one palanquin, four horses, a great quantity of swords and muskets, and some ammunition, fell into the hands of the Coorugs, whose loss, it is stated, did not exceed 30 in killed and wounded. It is added, that Kulhiant Beddena is among the latter.

A letter from the Cape, dated Feb. 22, says, "a few days ago the *Dædalus* frigate, of 32 guns, (one of Commodore Blanket's Squadron), brought in here the *Le Prudente* French privateer, formerly national frigate, with 400 men on board, which she took upon the Bank; out only twenty days, and had taken only one American from China. The French had 47 killed, and 14 wounded.

His Majesty's ship the *Blaave*, which sailed from Madras on the 20th ult. to convoy the *Sarah Christina*, fell in with and captured a Spanish brig on the day following, and sent her to Madras, where she arrived on the 22d.

The *Abercrombie*, Captain Clark, from Coringa to this port, was unfortunately lost a few days ago on her entrance into the river. Some time after taking her pilot on board, she got aground considerably to the eastward of the usual channel. The weather being very unfavourable, and there appearing no possibility of saving the ship, the Cap-

tain, officers, and several of the lascars, embarked on board the ship's boat, in which they reached town on the 19th instant. The lascars who were left on board, broke open chests and other packages, and loaded themselves with such articles of value as were most easily portable, with which they committed themselves to a raft, to the number of 50 or 60, and pushed off from the ship: whether they gained the shore, is not yet ascertained, but from the prevalence of the southerly winds, it is probable they have got safely to land. The *Abercrombie* was a very fine large ship, of 800 tons burthen. She had on board a cargo of salt.

An Account of the Mineral Waters at Cannia.

The hot-wells of Cannia are fix in number, and of different degrees of heat: they all, however, evidently communicate, for the water in all of them is at an equal distance from the surface of the ground, and a body immersed in one raises the height of the water in the other. As the water, also, from all the fix wells, exhibit the same chemical phenomena, there can be little doubt but that they all proceed from the same spring. Upon examining the heat of the different wells with great attention, it was found that they varied from 98 to 106½ degrees of Fahrenheit's thermometer, nearly in proportion to their different depths. Bubbles of air seem to rise from the bottom of the different wells; and it was therefore conceived that the water might be acidulous, and impregnated with fixed air. It was found, however, that the water did not sparkle in a glass more than common water, nor did it turn a delicate vegetable colour red, and upon filling a large case-bottle with the

water, and tying an empty wet bladder to the mouth of it, it was found, after shaking a long time, that no air was disengaged. It would therefore appear that the water is not impregnated with any air, but that the bubbles of air are merely common air disengaged from the water by the degree of heat. As the air, however, might be collected with a proper apparatus, its quality may be easily determined. The water has nothing peculiar in its colour, smell, or taste, it is not crude, or hard—as it dissolves so easily and perfectly. It contains no sulphureous principle, for a piece of polished silver, when immersed in it, contracted no rust or dark colour. It contains no acid or alkali in a disengaged state; for, upon mixing a delicate vegetable colour with it, no change to a green or red colour was perceptible. The water does not contain any selenite, or earthy, or alkaline matter, combined with vitriolic acid, for, upon adding a solution of mercury in nitrous acid to it, no sediment was deposited: nor does it contain any earthy matter in combination with marine acid, nor any copper or zinc, for, upon mixing mineral and volatile alkalis with the water, no precipitate was formed. On mixture with a decoction of galls, the water acquired a blackish tinge, which shews it to be slightly impregnated with iron. On a mixture with a solution of silver in nitrous acid, some precipitate of luna cornea was produced: this shews it to contain a very small portion of sea salt, but not more than the common water of Trincomalée, upon which the solution of silver had the same effect, with this difference, that the precipitate from the hot-wells was the blackest, probably from the impregnation of iron.

These experiments were made at the

the wells, with water from the wells of the highest and of the lowest temperature, on the 4th of July 1798, when the heat of the atmosphere was at 61 degrees. They were also repeated upon the water, after it was brought to Trincomalée, with the same effect. From them it would appear that the hot wells of Cannia possess few mineral virtues, besides their heat, which is of a temperature not unfavourable for hot bathing. For many complaints also the drinking of hot water is commended, and for this purpose, as well as for bathing, a hot spring is always preferable to water heated artificially, because it is always of a fixed degree of temperature.

BOMBAY, *June 1, 1799.*

LAW REPORT.

The Hon. the Court of the Recorder.

RUNPUT AND TRIMBUCK SINOVS, paupers, versus THE HONOURABLE COMPANY.

On Tuesday the 30th April this cause came to be heard, on an appeal from the late Mayor's Court, which had been entered, under the former charter, to the Hon. the Governor and Council as a Court of Appeals, and brought before this Court by the directions of the new charter as a depending cause. The question to be decided involved an object of very great importance to the Hon. Company—no less than the property of a fifteenth part at least of the superficies of the island of Bombay, consisting of the lands known by the title of the *Mazagon Estate*, which were claimed by the plaintiffs under a purchase alleged to have been made by their grandfather in the year 1736, although the Company had been in possession since the year 1758. This claim the Company resisted on the grounds

of defect of title in the plaintiffs, because a forfeiture had been previously incurred of this estate to the Company, under a grant made by the King of Portugal, in 1572, to one of his officers, named *Laurel de Souza*, and his heirs, upon feudal principles, for services done and expected, and afterwards renewed in the person of a descendant, named *Bernardo de Tavoura*, with a strict condition against alienation out of the family of the grantees, unless by consent of the King or his Viceroy, and a prohibition from conveyance to more than one person at a time.—These restrictions, it was alleged on the part of the Company, were breached in the person of the last descendant of the family of *De Souza*, the original grantee, by alienation out of the family to two persons, from whom the ancestor of the plaintiffs derived the title on which they claimed, creating a forfeiture to the King of Portugal the donor, which accrued to the Hon. Company under his cession of the island, and the rights inherent in him, to King Charles the Second, by whom a conveyance was made to the Company in the terms of that cession.

When this conveyance was made by the last descendant of the family of *Souza*, he applied for the consent of the then Governor of Bombay by petition, stating the property to be his own, and it would appear that the Company were not then apprized of the nature of the tenure, for the conveyance was allowed; and some years afterwards, the purchasers having become indebted to the Company, they were induced to take mortgages upon this estate. But in the year 1758, having attained copies of the original grants above stated from Goa, they applied to the Mayor's Court, setting forth these grounds of title upon which

which the forfeitures arose, and they also insisted upon their mortgage claim. By this application to the Court, the Company required that all parties concerned might be summoned to attend, and particularly the ancestor of the plaintiffs, but, no opposition having been made, a decree or order of the Mayor's Court was issued, adjudging the possession of the estate to the Company as mortgagees, without noticing the other ground of claim under the forfeitures.

Under this decree the Company entered into possession, which they have ever since continued; and this estate has greatly partaken in the general improvements of the island, under the protection and at the expence of the Company. During this possession, an attempt was made, in 1767, by the father of the plaintiffs, to bring into question the title of the Company, by an application to the Mayor's Court, requiring them to account for rents and profits in discharge of their mortgage; but, in answer to the order of the Mayor's Court to this effect, the Governor and Council insisted upon their rights as lords proprietors of the island under royal grants, independent of their mortgage claim, and intimated their resolution to abide its investigation in due course of the law. Satisfied, as it would appear, with this answer, the father of the plaintiffs pursued his claim no farther, nor has any interruption or disturbance been offered to the Company in their possession until the commencement of this action in 1798. The present plaintiffs, indeed, in the year 1771, made an application to the then Governor and Council, for an allowance of 15 months of grain, which had been reserved to their ancestor under one of his mortgages, and with which claim the humanity

of the Governor and Council induced them to comply, commuting the quantity of grain for 80 rupees monthly, which these plaintiffs have ever since received from the Company.

Upon hearing the cause in the Mayor's Court in 1797, they supported the right of the plaintiffs to the property of the estate, upon payment of the Company's mortgage debt, and it is from this decree that the present appeal was entered.

Mr. Hall opened the case on the part of the Hon. Company, and he contended, in the first place, that the decree of the Mayor's Court in 1758 must be considered as of the nature of, and tantamount to a foreclosure, from the previous steps taken of calling all parties concerned to oppose it, and particularly the ancestor, by name of the plaintiffs, which must have the effect more especially of precluding any future claim on their part; and that the decree so obtained, being followed by uninterrupted possession, except in the single instance above alluded to in 1767, cannot now be opened or questioned.—In the second place, he insisted, that if this ground should fail, the Hon. Company had a right to resort to the claim of forfeiture which accrued to them as coming in the place of the King of Portugal, to whom, under his grants, a reversion would have opened upon breach of the express conditions attached to them, as well upon the feudal nature of the grant, as upon principles of law and equity; upon the former, because the subsequent tenants, holding on the merits of the original grantee, ought to be more strictly held to the conditions incumbent on them and it is a maxim of law that where a condition is attached to a deed, unless repugnant or unreasonable,

reasonable, they must stand or fall together, while it is no less a maxim in equity, that where a beneficial interest is gratuitously conveyed, it must be taken in the way and manner prescribed by the donor, otherwise the evident consequence must be a reversion to him of the gift—this was a principle not only founded upon justice, but upon the reason and common sense of mankind.—In the third place, Mr. Hall argued, that although the plaintiffs had alleged, in opposition to the operation of the forfeiture, that the consent of the Governor of Bombay, as analogous to that of the King of Portugal or his Viceroy, had been obtained to the conveyance in 1731, upon which the forfeiture attached, yet that such consent could not avail the plaintiffs, for various reasons—1. That the Governor, as such, was not at that period the legal representative of the Company, so as to bind them by his acts, as the concurrence of his Council was necessary, which is not alleged to have been obtained. 2. That this consent, such as it was, had been obtained upon a false representation of the nature of the tenure, as an estate in the person of the applicant, free and unconditional. 3. That, independent of such consent, a forfeiture arose, by the operation of law, in the tenant conveying a greater estate than he held, which must have the effect of opening the right of reversion to the superior lord, for, in the expressive language of Littelton, it is said, *there is no salvo for this fore*. 4. That, by the grants themselves, the act of alienation to more than one person was strictly prohibited, and that a breach of this prohibition was confessedly incurred, which, by the term of the deeds, no consent could sanction, and consequently could not cure.

Mr. Hall concluded by shewing that no hardship or injustice had been sustained by the plaintiffs. If they purchased a bad title, it was their fault, upon the principle of *caveat emptor*, and that, indeed, so far from suffering loss, they or their ancestors had been great gainers by the estate. They had possession of it from 1731 to 1758, and in that time had received a sum of about 60,000 rupees on mortgages, for the Company's claim, with interest in 1758, amounted to rupees 40,000, and 18,000 rupees more had been taken from other mortgages—although the price paid by the plaintiffs' ancestor was only about 12,000 rupees, or 21,500 xeraphims, as stated in the deed of sale in the cause; consequently all these sums must be considered as a loss to the Company, if their title to the estate is confirmed.

Mr. Constable the advocate of the Hon. Company contended, that as the plaintiffs in this cause attempt to ground their claim upon the original grants from the King of Portugal, they have not shewn any regular or authentic title under these grants, even supposing no forfeiture had been incurred by the alienation in 1731, for, as the grant was expressly limited to De Souza and his heirs or lineal descendants, it appears that, even among these descendants, when the lineal order was departed from, a fresh grant and livery and seizure were required, as in the case of Bernardo de Tavoura in 1687, during the lifetime of his father Ruy de Souza; and still more was it necessary, when strangers intruded into the estate, that such solemnities should be observed. Now, in the case of the ancestor of the plaintiffs, it appeared from the documents exhibited by the plaintiffs themselves, that he was let into a share of this

estate by imposition and concealment; for, although he had actually agreed with the purchasers in 1731 for a quarter share of the estate, his name was kept back, nor does it appear till 1736, when the ostensible purchase is supposed to be made by him, while, by a deed produced by the plaintiffs with their bill, (a mortgage for 10,000 rupees by the ancestor of the plaintiffs, jointly with one of the Portuguese purchasers of the estate in 1731,) it is stated that such purchase was actually made by and for that ancestor in the year 1731; and yet the bill of complaint itself, referring to this deed, alleges the first purchase by him to be in 1736: so that it follows, that the consent of the Governor of Bombay to the conveyance of the estate in 1731 by the last descendant of the family of Souza did not apply to or recognize this ancestor of the plaintiffs as a purchaser at that time: and in the subsequent consent, by another Governor, in 1736, his name is introduced as an associate in the purchase, referring to the previous act, which did not appear; and thus the Governor was induced to admit him as an original purchaser, though no such circumstance arises from the deed, and which is denied by the present bill of complaint, stating his first connection with the estate to be in 1736.—Can his successors, then, avail themselves of such fraud and concealment, to derive a title grounded upon them? Mr. Constable contended also, that the estate granted by the King of Portugal's patent to Lionel de Souza and his lineal descendants, under the conditions and restrictions introduced into them, was similar to the *emphyteusis* of the Roman law, and may be termed a perpetual lease, limited in descent to the issue-male of the donee, in the or-

der of primogeniture, and, for want of issue-male, to the females and their issue, in the same order; which descent they could not interrupt by alienation, without the regular prescribed licence: nor could the estate be in any case divided or parcelled into shares or several proprietaries, by the express words of the grant to De Souza, and of the patent of confirmation to Bernardo de Tavora. If the family of the first donatory had become extinct, without any of his descendants having alienated the estate, it must have reverted entire to the lordship. This is the nature of the *emphyteusis* or long lease of the Romans, that the direct superior or grantor of the lease retains the direct property of the estate, and his right of reversion arises when the lease comes to an end, by what means soever that may happen, which, in a perpetual *emphyteutic* lease, can only take place in one of these three ways—by forfeiture of the lessee, by the superior exercising his right of pre-emption, or by the lessee in possession dying without heirs. Mr. Constable further argued, that by the grant of the King of Portugal of this island, the full dominion was conveyed, with the exception only of the exercise of the rights of religion to the inhabitants of Bombay; and that, although a restriction is put upon this clause by the charter of King Charles the II. conveying the island to the Company, introducing a salvo of the rights of the inhabitants of Bombay, yet that salvo should be confined to the actual inhabitants, as the transferred subjects of the King of Britain, and ought not to be extended beyond it; while in fact the last descendant of the family of Souza, who incurred the forfeiture by his conveyance of this estate, was at the time, and it is believed had ever been, an inhabitant

habitant and resident at Bassein, and consequently ought not to have been recognized as a British subject having right to make any alienation of this property in prejudice of the Company, to whom it was so amply and comprehensively conveyed. Mr. Constable advetised to the Company's accepting mortgages from the supposed proprietors, when they were certainly not aware of their superior rights to the property so conveyed to them in security of their debt; and although, in this cause, accounts have been exhibited upon the footing of that mortgage debt, yet it was merely to shew that, even upon that ground, no injustice had been done to them, as it might be shewn, if made up with interest, that the debt could not be discharged, even without claiming the extensive amelioration the Company had occasioned to the estate itself, which, by those means, and their expensive protection of it, had increased in value beyond common calculation: and he contended, that, by the acquiescence of these plaintiffs in the Company's avowed statement of their rights in 1767, since which period all the advantages had resulted to the property that rendered it now so valuable, they were in justice and equity precluded from any claim, at this late day, which might be supposed to be prompted by the present flourishing state of the lands.

Mr. Dowdeswell, on behalf of the plaintiffs, now respondents in the appeal, in answer to the arguments which were used for the Company, contended, that by the cession of the island by the Crown of Portugal, and the subsequent conveyance of it to the Company by the charter of King Charles the Second, an unconditional right was conveyed of the property, divested of any restrictions imposed by the

King of Portugal in his grants; and that in fact the Company had so considered it, by their consent to future alienations in fee, without annexing the conditions, of which they must or ought to have been fully aware: that the only right by which the Company now held, or could now claim, was in the character of mortgagees; it was under this title they obtained possession, although they set up afterwards another pretence to keep it, namely, as lords proprietors claiming a forfeiture. that they thought proper to oppose this title to the requisition of the Mayor's Court in 1767, demanding an account of their mortgage that there was no pretence to maintain a forfeiture in this case, which being *strictissimi juris*, it was the proper province of a Court of Equity to relieve against, even if it arose. And in confirmation of this doctrine, Mr. Dowdeswell referred to a variety of cases on the subject. He observed, that, upon the footing of the mortgage, no claim could arise to the Company by foreclosure or length of possession, from the accounts they had exhibited in the cause with the mortgagees, which kept alive their right of redemption; and that, upon every ground which could be taken in the present case, no valid title could be established to this property on the part of the Company.

Mr. Cleaver followed on behalf of the plaintiffs, and contended, in point of law, that there were no conditions imposed by the original grants, of which the Company could avail themselves, so as to attach a forfeiture for the breach of them, for it could only arise by implication, which is against law. that, supposing a forfeiture had been incurred by the first taker, still it would have endured for the benefit of the heirs, in remainder of De Souza,

Souza, but could give no title to the lord paramount to enter. that, under the grants, the takers had a fee in the estate by the power given them to devise, and as such devise actually happened, the deviser took as a purchaser, independent of the grant, he took a new estate, unfettered by conditions, and subject only to the quit rents, and whether he took by descent or purchase, yet, having aliened for a valuable consideration, the alienee became a purchaser in fact and in law; and that the alienation of two persons in joint tenancy was no division of the estate, and consequently not prohibited under the grants, because it is expected by these grants that two sons shall take the estate, but directs the *management* to be in one, distinguishing this from *ownership*. Mr. Cleaver also argued, that if a license was necessary to convey under the terms of the grant, that it was given by the person who legally represented the Viceroy of the King of Portugal, viz. the Governor of Bombay; and to shew this, he referred to a decision in the case of Fabrigas and Mostyn: and, even if the assent of the Governor's Council was deemed necessary, he contended, that it was to be presumed from the circumstances of the publication twenty-one days previous to the sale taking effect, and that at any rate the Governor and Council had recognized and affirmed the sale and licence by the mortgage which they afterwards took from the purchasers. that the Company were not entitled to the aid of a Court of Equity to confer upon them the benefit of these mortgages, because the form of the instrument was incapable of conveying an estate of freehold; for that the statute *de mercatoribus*, as applicable to such bonds, could only enable the obliged to enter and pay himself

out of the rents and profits; and, even allowing the bonds to have been regular, and that an estate of freehold was conveyed by them on which the mortgages had entered, still, unless a claim of forfeiture for non-payment had been made, the equity of redemption would have remained open until a bill of enclosure had been brought. but, supposing also that a forfeited estate had been legally invested in the obligees under those mortgages, they themselves had treated it as a redeemable estate, by keeping an open account with the mortgagors and their heirs upon the mortgage debt. Mr. Cleaver further contended, that it was contrary to the constitution of a Court of Equity to assist in taking advantage of a forfeiture, on the contrary, it was bound to give relief against it, and that such claims are also considered in the eye of the law *strictissimi juris*. But that, admitting every thing to be done with regularity, the Company had waived all their rights, by allowing an annual payment to the heirs of Sunker Sinoy, the first possessor, to be made specifically out of these lands, whereby they concede that he once had a legal title in the estate, and that, as in all cases Courts of Law lean against forfeitures, and Courts of Equity relieve against them, whenever any circumstance can be found to imply a waiver by acknowledging a legal title to exist in the owner of the freehold after the party entitled to take advantage knew of the breach, as either by paying or accepting rent, or any other act confessing the continuance of the estate, the forfeiture is waived, and can never afterwards be insisted in.

Mr. Anderson and Mr. Morley, who were likewise advocates for the plaintiffs, very ably followed up the arguments which had been used.

Mr.

Mr. Constable was then heard in reply, and he opposed the principles which had been endeavoured to be drawn from the cases stated on the other side. Upon the question of forfeiture, he insisted that the conditions in the grants were, and continued to be, valid and effectual upon all the heirs of the original grantee appointed to take under them, that the mode in which they were introduced in the grants, removed all doubts upon this head—for they followed the description of the heirs who were to take the beneficial interest conveyed, that a failure of either of these conditions was evidently intended by the grantor to open the right of reversion to him, and not to transfer the benefit to the party in remainder under a gratuitous gift, and that, even taking it upon this footing, it appears that the deed upon which the forfeiture attached, was not only granted by the heir in possession, but his wife and son, who concluded the series then existing, and left no person to claim in remainder. Mr. Constable argued, that the power of devise granted by the patent was not general, but confined to the heirs of the grantee, and that it was not the meaning or intention of the grantor to convey a greater estate than was expressed, or by any means to defeat the conditions he had thought proper to attach to the grants, that the licence so much insisted on by the plaintiffs could not have this effect from the objections taken to it, as being granted without authority—upon misrepresentation, and as not applicable to the act of double conveyance, which incurred a forfeiture, nor capable of doing away the conveyance of a greater estate than the party possessed, which immediately creates an estate to the lord, or him in reversion, that the fact of publication of the sale alluded to in support of

this licence, can have no effect whatever—it was a mere matter of form, and, like the application to the Governor, upon which it was grounded, gave no notice of the real tenure of the estate, or the real parties who were to be benefited by the conveyance; that the case quoted of *Fabrigas and Mostyn* could not apply, as that was a single Governor appointed by his Majesty without the nomination of a council to assist him, unlike the constitution of the Company's government in India in every point of view. In answer to the arguments arising from the nature and practice of Courts of Equity, in relieving against forfeitures, Mr. Constable contended, that his clients only stated that ground of defence against the plaintiffs' claim, on which they had previously insisted both in 1758 and 1767, and from these periods the plaintiffs had acquiesced in the right of the Company, that the decree of 1758 ought to be held as tantamount to a foreclosure, from the steps taken of calling all parties interested, and the acquiescence under it, although the mortgage deeds could not be produced, and therefore no arguments arising from their supposed defect could avail, especially as they were full, admitted by the plaintiffs' bill. Mr. Constable observed, that it was not fair to urge against the Company their payment of a pension to the heirs of Sinoy, which arose from their own supplication as a matter of charity, and could not be construed as any admission of a right: and with respect to the argument grounded on the fact of keeping open accounts with the parties, Mr. Constable contended, that the accounts exhibited by the Company could not be considered in this point of view—that it was done for their own satisfaction, and now produced only to shew how much might be claimed on the footing of the

the mortgage, if the Company were to stand upon that ground alone and he concluded, that it was inconsistent with all ideas of equity that those plaintiffs should be decreed the property of an estate rendered valuable merely by the protection afforded and the expence laid out upon it by the Company, for a period of near 35 years, besides subjecting them to the probable claims of all persons to whom they had made intermediate assignments and conveyances of parts of the estate, unopposed by the present claimants in a single instance.

After the hearing was gone thro', the Recorder observed, that as it was a cause of very great importance, and many authorities had been cited and referred to, which he wished to have time to examine, he would consider the matter fully before giving judgment, and should apprise the Advocates when the Court would be ready for this purpose.

On Wednesday the 19th of June, the Honourable the Court of the Recorder met for the purpose of passing a decision in the Mazagon Cause, viz. Sir William Syer, Knight, Recorder, Joseph Harding, Esq. Mayor; James Loughnan, and Robert Henshaw, Esquires, Aldermen.

The following decree was passed :

"It is ordered, that it be referred to the Master to take an account of what is due for the principal and interest upon the mortgages of 1737-8; and that it be directed therein to debit the mortgagors the principal sum of rupees 46,328 upon the 1st of February 1758, with compound interest down to the present time, and also to debit them all sums of money paid on account of the estate from the respective times they were paid, with compound interest, and also with quit rent and tax due to the Company, and the batta and pensions annually paid to the mortgagors and their heirs, with com-

pound interest; and that he also take an account of all the rents, issues, and profits annually received from the estate, with compound interest; and also to take an account of the *bona fide* fee-simple value of the ground which has been in the possession or occupation of the Company, upon which docks, powder-works, and magazines have been erected, and also the artillery practice ground, from the respective times they have possessed or occupied them, with compound interest thereon, and for which purpose that he be permitted to call in the Veniadorfs and Muttaras to his assistance, and also one or more persons on the part of the mortgagors; and that the Master be permitted to call for and examine all the books of the Company relating to their mortgage debt, and also that he be permitted to examine all witnesses, whether they have been before examined or not, relative to such accounts, and that the Master be directed to proceed with all reasonable expedition in his accounts, and make his report thereon, and that all further directions in the cause, and also the consideration of costs, be reserved till after the Master shall have made his report."—Witness, Sir William Syer, Knight, Recorder at Bombay, the 19th June 1799.

Extract from the Hon. Company's Commands in their Public Department, dated Aug. 1, 1798.

Par. 58th.—In order to preserve due respect and attention to the officers of your marine, who, on important occasions, especially during war, are associated with the military and assisting in operations of warlike nature, we have resolved that certain rank should be assigned to your marine officers corresponding with those of the military; and we therefore direct,

That

JULY.

CALCUTTA, *July 8, 1799.*

MURDER.

This day the dwelling-house of Mr. Augustus Norton, a native Portuguese, not being opened as usual to persons desiring admittance, and no noise being heard from within, some of the neighbours, in order to ascertain the state of facts, got over the wall of the compound, when they found Norton lifeless in the verandah; and near him lay a female servant, who was insensible from the violence of the blows she had received. On a couch was a child of the deceased, about eight years of age, covered with blood, his skull fractured, and otherwise wounded: he was able nevertheless to answer such inquiries as were made, and from these it was collected that the deceased and his female servant had a violent quarrel the preceding evening, in the course of which the casualties just mentioned occurred to the parties, but the particulars could not be distinctly ascertained. Mr. Norton was a man of some property eight or ten years ago; but about that time an unlucky dispute with an Armenian concerning a peacock laid the foundation of a law suit; which was carried on with such spirit and activity, that the peacock cost Mr. Norton upwards of forty thousand rupees, when the want of further pecuniary strength reluctantly compelled him to relinquish the game.

FATAL ACCIDENT.

It is with much regret that we announce the following melancholy accident, whereby the service has lost a most valuable officer, and society one of its worthiest members, Lieutenant Colonel Samuel Black, of the 3d regiment of cavalry. Colonel Black, after his

†C

arrival

That the Commodore have equal rank with the Colonels in the army.

The Captains of the larger vessels of 28 guns and upwards, equal rank with Lieutenant Colonels in the army.

The Captains of smaller vessels under 28 guns, equal rank with Majors in the army.

The first Lieutenants equal rank with Captains in the army.

And the second Lieutenants equal rank with Lieutenants in the army.

Par. 59th.—In all cases the dates of the respective commissions are to regulate the precedence of the military or marine officers.

Par. 60th.—It does not appear necessary to assign any military rank to the Superintendent or Master Attendant: but as the Superintendent had formerly a seat and voice as fifth in Council, and was also a member of the Select Committee, and in consideration of the importance of his office, we direct that his civil rank shall be next to the Members of Council; the Master Attendant is to have civil rank next below the Superintendent, and to sit above the Commodore when they are acting together.

THOMAS C. HARRIS,
Dep. Adj. Gen.

April 28.—This day Ishmael Shaik, Borah, was convicted of stealing different articles, the property of James Morley, Esq. part of which was found in the prisoner's possession. Guilty—Death. On the 9th May he was executed pursuant to his sentence.

May 2.—Shaik Ishmail was convicted of breaking into the house of Pittambar Narrain, and stealing from thence a variety of gold and silver joys, and a quantity of wearing apparel of silk and cotton, the property of the said Narrain, forming in the whole a large amount.

arrival at Patna, with a view of expediting his journey to the Presidency, left his baggage, and went on board a small bauleah, wherein he meant to proceed night and day. The very next night, while in the middle of the river, he was awaked by his servants, who informed him that the boat was sinking. Finding her nearly filled with water, he leapt overboard with a view of swimming to the shore, and unfortunately perished. The people who remained with the boat got safe in her to the shore.

Futtyghur, 11th June.—The under-mentioned note was sent in circulation throughout the lines :

Major-General Stuart, impressed with sentiments of the highest respect and gratitude for the eminent talents of wisdom and energy so conspicuously displayed by Earl Mornington from the commencement of our contest with Tippoo Sultaun, and equally so for the military conduct and gallantry which has finally in the field crowned his Lordship's political plans with success; judging that a respectable address of congratulation on the occasion will be becomingly proper, as well as dutiful from us, submits the accompanying one to the officers and gentlemen of the station, for the signatures of such as may approve of the same.

To the Right Honourable RICHARD Earl of Mornington, K. P. Governor General, &c.

MY LORD,

We, the undersigned Officers of the Futtyghur station, beg leave to approach your Lordship with our sincere congratulations on the brilliant success achieved by our brother officers and soldiers in Mysore, acting under the singular good fortune of your Lordship's wisdom and decisive energy.

While thus publicly testifying our gratitude and respect to your Lordship, and our admiration at the conduct and gallantry which to ably followed up and ultimately has crowned your Lordship's

plans with success, unequally splendid, though unenvious of the merits of others, so nobly displayed, we cannot help regretting that fortune has not also placed us in a situation to pay our tribute of final gratitude to our country, by a faithful exertion of our endeavours to contribute to her matchless glory, under the auspices of the same distinguished protection.

We have the honour to remain, with most perfect respect and attachment, your Lordship's most faithfully devoted humble servants,

(Signed by General Stuart and every other Officer at the station)

Dated, Camp at Futtyghur,
June 10th, 1799.

Extract of a letter from Camp at Seringapatam, dated 7th June.

On the morning of the anniversary of the King's birth-day, there was a meeting of the field officers who personally served under Major General Baird at the storming of Seringapatam, when it was unanimously resolved by them to present the General with a sword, as a mark of the high sense they entertained of the admirable conduct so eminently displayed by him on the very arduous and dangerous service he was employed upon the 4th of the preceding month; and Colonel Sherbrooke, of the 83d regiment, who was the senior officer present, was desired by the others to write the following letter to General Baird on the occasion.

SIR,

I am requested by the field officers who had the honour of personally serving under you at the storming of Seringapatam, the 4th ultimo, to inform you, that they have ordered Messrs. Jefferys and Jones to make a dress sword, value 200 guineas, bearing the following inscription. "Seringapatam taken by storm 4th May 1799," on the one side, and on the other, "Presented by the Field Officers who personally served under Major General Baird on that occasion," which they beg you will do them the honour of accepting as a mark of their esteem, and of their admiration of your personal exertions on that day. Jefferys and Jones have been directed to send the sword out by the earliest conveyance, and

We hope you will receive it before the anniversary of the capture

I have the honour to be, with respect,

Sir, your obedient servant,

J. C. SHERRYPOLKE, *Colonel.*

Camp, 4th June, 1799

To Major General Baird

To which General Baird was pleased to return the following answer:

SIR,

I have been favoured with your obliging letter informing me of the honourable testimony of their approbation, intended to be presented to me by the field officers who served on the successful and glorious assault of Seringapatam, and I beg you to assure them, that this distinguished mark of the favourable opinion and esteem of those excellent officers, whose gallant exertions secured the memorable victory of that day, will ever be regarded by me as a recompence of the highest value.

I have the honour to be, Sir,

With the utmost regard,

D. BAIRD.

To Colonel Sherbrooke.

The following is a list of the field officers concerned, viz. Colonel Sherbrooke; Lieut. Colonels Dunlop, St. John, Dalrymple, Mignan, Wallace, Gardiner and Monypenny; Majors Shee, Pictou, Forbes, Craigie, and Bell.

DEATH OF THE EMPEROR OF CHINA.

Extract of a letter from Macao, dated 16th March.

The whole of the mighty empire of China is in mourning, the Emperor having died on the 8th instant, at the advanced age of ninety years. He has been succeeded on the throne by his eldest son, who is at an advanced period of life, although I cannot exactly ascertain his age. From every thing I see transacting with respect to commerce, and from all that I can learn from the Mandarines, the new Emperor is particularly partial to the English—a circumstance which they readily allow to have originated with the embassy of Lord Macartney: indeed, the favourable impressions

left by that great statesman on the minds of the Chinese, are every day more apparent.

China goods are at least 20 per cent. cheaper than I ever knew them to be before, and money is in great abundance.

AUGUST.

CALCUTTA, *August 1, 1799.*

The public dispatches to or from Lord Cornwallis, and such other public or private letters as were intercepted by Tippoo during last war, have been lately found at Seringapatam. They were carefully packed up; and, what is more remarkable, not more than three or four of the letters have been opened: the seals of all the others were entire.

In two of the last marches to Seringapatam, where the Bengal volunteers went with General Floyd to bring up the Bombay army, the only dry wood they could find to dress their victuals was sandal, of the finest perfume, both red and white; there were thousands of logs, which were devoted, without mercy, to the culinary fire, and spread a cloud of fragrance over the camp.

At the time of the fall of the capital, and the death of the Sultan, an immense convoy, consisting of the six regiments of cavalry, Montgomery's corps, all the Nizam's horse to the amount of near 10,000, a detachment of the Nizam's infantry, and about 12,000 European and native infantry, with 48 guns, having near 100,000 brinjaries under their escort, were on their way to the grand camp, and about sixty miles distant. Cummur-ud-deen was dodging them with the greatest part of Tippoo's horse, and a body of infantry, with

20 guns; but retreated instantly on hearing of his master's death, which, it is remarkable, he was informed of on the night ensuing, viz. that of the 5th of May.

Tippoo's only brother, Kerim Saheb, when the place fell, was in a dungeon, with heavy irons on hands and feet: he had languished in that horrid condition many years, from an unfounded fit of jealousy that Tippoo had conceived against him.

The *Antelope* cruizer arrived at Bombay on the 6th June, from the Straits of Babelmandel. She brings accounts of Commodore Blanker's squadron being in the Red Sea, all well; and that the detachment which had embarked from Bombay, under Lieutenant Colonel Murray, had landed and occupied the island of Babelmandel.

It appears that a detachment of French troops had seized two or three Arab Dows, in which they attempted a descent on Shadwan, and endeavoured to possess themselves of that island. They effected a landing, but were soon beat off with considerable loss, and the greater number of them made prisoners, all of whom the Arabs immediately denuded with the rights of Mahomedanism, contrary to the violent exhortations of the Republicans. After these ceremonies, they were consigned to hard labour.

Letters from Rangoon, received by the *London*, which arrived from thence on the 11th instant, mention that the Government, both at that place and at Ava, were perfectly ignorant of the transactions which have lately taken place on the borders of the Chittagong district, and we understand that a formal disavowal of any knowledge of it has been sent to the Government here. The Government of Ava had settled their differences with the Sia-

me, and the country was restored to peace and quiet. at Rangoon trade was very dull, the market overstocked with goods, and no timber of any kind procurable.

The *Coverdale*, Capt. Gowland, brought round a detachment of his Majesty's 76th regiment, which had served on board the Hon. Company's armed ship *Earl Howe*.

By the Arab ship *Suffenut al Nebee*, arrived at Bombay on the 6th ult. in eleven days from Muscat, we learn, that, when she left that port, some Dows had arrived there from a port or ports of Tippoo's coast, with three elephants and a casket of jewels, intended to be offered by that Prince to the present Regent or King of Persia, and, through the same channel of intelligence, we learn that Tippoo's agents had spread a report, at Muscat, of his having given a very serious defeat to our army, so as, in his hyperbolical language, to have made it fly for many cofs. These circumstances afford, were it necessary, additional proofs of the vigilance of our late enemy, and of his inveterate animosity to the British name.

A letter from on board the *Lord Thurlow* relates, that about a week before the arrival of that ship at Madras, a conspiracy was discovered among the crew, the object whereof was to murder all the officers of every description, with the passengers, and to carry the ship to Mauritius. The very night before this horrid scheme was to have been carried into execution, it was detected by one of the quarter-masters, who, lying in his hammock, overheard a conversation between two of the mutineers. From that time, the passengers, as well as officers, were formed into two watches at night: three of the ringleaders were put in irons, one of whom was

to have been captain, had their plan succeeded.

Letters have been received from Madras, mentioning the following circumstances having taken place on board the ship *Suzannah*, Captain Drysdale, during her passage from hence to Madras, with a cargo of gunpowder.—A Frenchman, a prisoner on his parole, who had obtained permission to proceed to Madras as a passenger, concerted a plan with a Spaniard and four of the seacunnies, for murdering the officers and seizing the ship, with the intent of carrying her to the Isle of France: they commenced this diabolical scheme by attacking the chief officer, who had the watch upon deck in the night, whom they immediately threw overboard; the third officer, who was also upon deck, was afterwards dispatched, and they then proceeded to the cabin: but Captain Drysdale, having fortunately been awaked by the noise his officers made in resisting the villains, and seeing them coming towards him, escaped at one door of the cabin, while they entered at another, and got forward to the fore-castle, where he was joined by the second officer and crew. The mutineers were very soon subdued, and, upon the arrival of the ship at Madras, were sent on shore in irons to be tried.

A letter from Seringapatam contains the following paragraph: "A very copious and curious library has been found, the books are kept in chests, each having its particular wrapper, and they are generally in good preservation. I was present when a small part of them were looked into by our Peruvian scholars, and saw some very richly adorned and illumined, in the style of the old Roman Catholic Missals found in monasteries. There must be thousands of volumes; and

this library promises, on the whole, the greatest acquisition ever gained to Europe of Oriental History and Literature."

A letter from an officer at Chittledroog, dated July 27, gives the following particulars:—"We arrived here on the 24th instant, since which I have been almost entirely occupied in viewing this famous and much talked of fortification, like Seringapatam, it is in an unfinished state, though not so much so but it would have cost us a deal of trouble and some bloodshed to have got possession of it, had Tippoo escaped, or the killedar thought proper to resist. The works are so very numerous and extensive, that I have not been able to see above one third part yet; however, that is enough to raise my astonishment, and convince me that it would have been an arduous undertaking to a besieging army, let them be of any country, or possessed of the greatest courage, perseverance and knowledge. The rock itself is a wonderful piece of natural curiosity, improved by art; it contains several fine tanks in various parts, and the great number of magazines of provisions and military stores are sufficient proofs of the intentions of its late master, had he lived. A large palace, remarkable for its antiquity, stands about the centre of the rock, and was formerly inhabited by the then masters of the country, the Hindû Rajahs: Tippoo had ordered it to be put in repair for himself and family, in which state it now remains. I am told this place cost Hyder a seven years siege, and did only then fall into his hands by treachery."

A letter from Rangoon, dated the 8th July, says, "On leaving Rangoon, for Ava, we were informed that the river was infested by thieves and deserters, and of course we armed our boats, but

passed unmolested the whole way, excepting the trouble we experienced from the Chokies, which are twenty-one in number. We obtained an order similar to that granted to our former Ambassador, Captain * Symes, to pass the British free of all charge, but no attention being paid to it, we had an interview with the Prince. He received us very graciously, and, after asking us the news of the war, we informed him of the treatment we had received from the Chokies, contrary to the order in favour of the British. He expressed his dissatisfaction at their conduct, and ordered the money and goods to be returned, and I saw them put in the blocks till they had paid a fine of 250 ticcals, flowered silver, for every 80 ticcals they had taken from us. The Prince is a man of a fine appearance, about 5 feet 8 inches high, of a dark complexion, well proportioned, and expresses himself with a great deal of dignity and freedom. He is very much beloved by the Burmahs, and is partial to Europeans. He issued an order that no one should molest us while at Ava; we were allowed to follow our own customs in living, such as to kill fowls, &c. to keep our lights on at night, which is contrary to their laws; and, in fact, we were treated with an uncommon degree of civility and attention by the whole of those in government."

Nautical remark—"The masts of the China wreck, which lay on the edge of the western sand for these ten years past, and have served as a leading mark unto this river, are now driven away by the bad weather experienced lately, and no appearance of them remaining: they used to bear from the Elephant N. W. a little northerly—the sand between China Buckier and the Ele-

phant is dry at low water. When the Elephant bears N. by E. and China Buckier W. by S you are nearly on it; to avoid it, do not bring China Buckier to the fourthward of west till the Elephant bears to the westward of north."

SEPTEMBER.

CALCUTTA, Sept. 1, 1799.

On Sunday, the 8th instant, accounts were received of the loss of the ship *Apollo*, Captain Honeyman, coming into the river, from Rangoon; she struck on the tail of the Gaspee sand, which happened on the 5th. The crew were fortunately all saved; but the ship, and cargo of timber, entirely lost.

Accounts from Rangoon, received by this opportunity, we are sorry to find, are not so pleasant a complexion as our last advices. It appears that, from the misrepresentation of some natives who had arrived there from Ramoo, the Government had been persuaded that the English were making preparations for war against the Burmahs; which had caused much alarm, and induced them to detain all the commanders of the English ships at Rangoon, until an explanation should take place: the ships were, however, permitted to depart, under charge of their chief officers.

We have been favoured with the following particulars of the engagement between the *Devaynes* and the French privateer off the coast of Pedier;—It appears that, Capt. Pope had received various contradictory reports concerning some French privateers being in the straits. On the 29th of August, in the morning, the *Devaynes* was off Pedier, when they perceived a grab vessel

Now Lieutenant Colonel;

vessel at anchor, which they took for the *Forth*, Captain Taylor. A little 'after noon she got under weigh, and worked towards the *Devaynes* under English colours. At 2 p. m. the wind coming off the land, enabled her to stand direct before the wind, and when within gun-shot fired at her, which convinced Captain Pope that she was an enemy: the wind having by that time reached the *Devaynes*, she bore up large and crowded all the sail she could, the enemy following, keeping up a smart fire from her bow chaises of round and grape, which was returned by the *Devaynes* whenever they could get a gun to bear, which was effected now and then by giving the ship a broad yaw; the privateer still continued keeping up as smart a fire as possible, keeping the English flag up during the whole time, doing them very considerable damage. At 4 p. m. a shot carried away the *Devaynes'* colours, on which the enemy gave three cheers, and immediately struck up a march with their fifes; the colours were however again displayed on the mizen shrouds, at the same time giving her two guns. It appears that the privateer was afraid of coming alongside of the *Devaynes*, as she sailed much better, and could consequently take any position she thought proper; she however continued keeping in her wake within musket shot, and sometimes nearer, during the whole time of the engagement. At night the privateer left off firing, as did also the *Devaynes*, who endeavoured to get clear of her by getting before the wind, as she went best large, and fortunately at day light she was about four miles distant bearing W. by S. and another sail in sight to the N. N. W. The grab now gave up the chase, and bore down towards the strange sail with a sig-

nal flying at her fore-top gallant-mast head, but could not perceive whether it was answered by the other vessel or not; but from her making the signal they concluded the other to be her consort. Both those vessels had short fore-top-gallant-masts, the grab pierced for 14 guns, and from the size of her shot they must have been five pounders. She seemed full of men, many of them Coffries, and some supposed to be Lascars. After this gallant little action, Captain Pope returned to Penang to rest, having during the conflict received the following damage. The lee-ropes of the fore-sail, main-sail, fore-top-sail, and mizen-top-sail, two fore chain plates, two backstay chain plates, two fore shrouds, two fore-top-mast backstays, top-gallant backstays, braces fore and aft, fore-top-sail tye-block, clue-lines, main-top bowlines, not a shroud or backstay standing on the mizen mast, and the mast wounded. The fore lifts, cross-jack, and the main-top-sail lifts, the sails as full of holes as they could be, top-mast stays, one main shroud shot through, and two wounded. The mizen mast, main yard, fore-top-mast, cross-jack yard wounded with grape shot, and many round and grape shot between wind and water. We have to add, and with much pleasure and great astonishment, that during all this conflict, and the damage the ship has received, not a single man on board was either killed or wounded.

BOMBAY, Sept. 1, 1799.

On the 1st ult. Robert Henshaw, Esq. Chairman of the Committee for conducting the voluntary contributions in aid of Government, submitted the following statement of that fund:

That the sums subscribed have amounted to rupees 312,890.

† C 4

That

That they have assisted his Majesty's Squadron in India, and advanced to the naval officer, to this day, the sum of rupees 284,271 : 3 : 83.

That they have received that officer's bills for the same, and remitted them to the Right Hon. Henry Dundas, to be by him presented to the Lords of his Majesty's treasury, in the name of the British inhabitants of this presidency, their amount, pounds sterling 25,885 ; 0 : 7½.

That they received, and remitted through the same channel, the individual subscription of Peitonjee Bomanjee, in a bill on the firm of Law, Bruce and Co. for pounds sterling 500.

That the individual subscription of Mr. Manesty, of pounds 500, forming part of the general contributions above recited, was remitted by that gentleman in a private bill to England.

That the expences incurred, to this day, reach only to the sum of rupees 2,156 ;—that, of this sum, rupees 1,573 was for printing charges at the Courier and Gazette presses ; rupees 250 for pay to a purvoo for twelve and a half months ; rupees 238 : 2. for postage of letters overland, &c. ; and rupees 94. 1. for stationary.

That the committee have a cash balance with the Chairman, of rupees 972 : 8 : 83.

Letter from the Right Honourable HENRY DUNDAS, one of his Majesty's Principal Secretaries of State, to ROBERT HENSHAW, Esq.

Whitehall, March 16, 1799.

SIR,

I have been duly honoured with your letters of the 6th and 12th July 1798 ; the former inclosing a printed copy of the resolutions of

the inhabitants of Bombay, relative to the raising of voluntary contributions in support of the government of their native country ; and the latter giving cover to a bill of 4000l. on the Commissioners of his Majesty's navy, as a part of the same. The bill has been paid to the Lords of the Treasury, as a voluntary subscription from the British inhabitants of Bombay.

It gives me the greatest pleasure to have an opportunity of submitting to his Majesty this proof of the affectionate loyalty of his subjects at your settlement ; and permit me to add, that you are in a particular manner entitled to my best thanks for your zeal on the present occasion.

I have the honour to be, Sir,

Your obedient humble servant,
HENRY DUNDAS.

We learn that Major-General Smith and suite set out from the grand army on the 16th on their way to Madras. The following address, expressive of the respect and esteem of the officers under his immediate command, was presented to the General, on the occasion of his departure :—

To Major-General SMITH, Commanding the 2d Battalion of Artillery.

Permit us, on the eve of quitting the army, and the immediate command of the 2d battalion of artillery, to express to you our unfeigned sorrow at an event by which, considered in a public or private light, we sustain so great a loss.

The unremitting zeal you have ever manifested to promote the honour, interest and credit of the corps, claims the tribute of our warmest acknowledgments.

We regret that the short notice we have of your departure, and the absence of so many officers of the battalion at the present conjuncture, preclude the possibility of offering you a more general and opposite expression of the sentiments of the corps on this occasion.

Our sincerest wishes for your health and happiness accompanying you in your retirement, for the present, from the ac-
tive

tive duties of the service, we have the honour to be, Sir, with the greatest respect, your obedient servants,

U. Burke, Captain.	Jas. Limond, Lt.
J. Croidill, Capt.	R. Taylor, Lt.
Lieut.	A. Giblon, Lt. F
G. Anderson, Surg.	W. C. Griffiths,
R. F. Fowler, Lt	Lt F

and Adj
Camp Hurry Hall, Bank of Tumbudra,
August 15

To Captain BURKE, &c. &c.

GENTLEMEN,

I have had the honour of receiving your very kind and affectionate address to me of the 15th instant, on the occasion of my departure from the army, and the immediate command of the 2d battalion, a corps in which I have spent to great and happy a part of my life.

This gratification I feel in being accompanied with so flattering a testimony of your good wishes, united with the event itself, have excited sensations in my bosom, which I want language sufficiently strong to express.

Let me, however, assure you, that no distance of time or place will ever alter the regard I have for the corps, and shall ever feel a warm interest in promoting, as far as lies in my power, its honour, welfare and happiness.

I have the honour to be, Gentlemen,

With the greatest esteem and respect,

Your most obedient humble servant,

D SMITH, Major General.

Camp at Velloot, August 15, 1799.

On the 28th, at midnight, the Brahmans took one of their tutelary deities from a pagoda, where he had been immured for thirty years past, and paraded him through the town with drums, trumpets, fireworks, &c. &c. to the no small but temporary alarm of the garrison; for the priests having, through ignorance, omitted to apprize the Town Major of their intention, the cause of the seeming tumult was at first unknown, and the whole run a risk of being sent to the main guard. On the necessary explanation, however, the procession advanced, and paraded without interruption.

BOMBAY CASTLE, August 12.

Notice is hereby given, that from and after the date hereof, no European person, of whatever rank,

description, or country, will be permitted to travel through the Company's dominions subject to this presidency in the province of Malabar, unless he shall be regularly furnished with passports for that purpose.

The only exception which the Hon. the Governor in Council has been pleased to make to the foregoing resolution, is in favour of officers commanding parties of his Majesty's or the Hon. Company's troops.

All persons about to travel are accordingly required to take out a passport from the head civil servant of the district in which they may reside, i. e. from the President of the Commission at Calicut, the Superintendants of the Northern or Southern divisions of the province of Malabar, or the nearest of their assistants acting in the capacity of local magistrates or collectors; the Commissioner at Cochin, and the Resident at Anjengo, or in places where there may be no civil servant or commanding officer of the nearest garrison: which certificate or passport shall be produced to the next civil servant or commanding officer, who is authorized to cancel it, and, if necessary, to issue a fresh passport.

And European persons of all descriptions are hereby warned, that whoever shall be found travelling without a passport, will be taken up and confined, until a report of his case can be made to the Commissioners at Calicut.

Notice is hereby given, that a reward of rupees 25 will be paid to any person who shall take up and bring into the nearest civil station or garrison, any European deserter, or vagrant of any description; which reward the local competent authority is hereby required to pay. By order of the Governor in Council,

ROB. RICHARDS, Sec. to Gov.

MADRAS, August 2nd.

Yesterday were executed, pursuant to their sentence, the three persons convicted of the wilful murder of the officers of the ship *Syfamuh*. One of them, a Frenchman, was carpenter of the ship; two others, a native Portuguese, and a Manila man, were sea-cunnies. Their bodies were afterwards hung in chains on the sea beach, to the northward of the Black Town.

We are happy to announce the capture of the strong post of Gooty, by Lieut. Col. Bowyer's detachment, after an obstinate resistance on the part of the garrison: but it is with concern we announce the death of Captain Hudder Roberts, who received a mortal wound from a musket ball a few hours before the place surrendered; he was an able meritorious officer, and died most sincerely regretted by a numerous acquaintance.

Fort St. George, Aug. 20.
GARRISON ORDERS.

The troops in garrison to be under arms to-morrow morning at half past five o'clock, to receive his Excellency Meer Allum Bahadar, ambassador from his Highness the Subahdar of the Deccan.

His Excellency will enter at the St. George's gate, and be received with presented arms by his Majesty's 51st regiment, which will form a street leading from the gate to the general parade.

The 2d division 1st European regiment will fall in on the left of the 51st, and the Madras militia under Major Taswell, will form a continuation of the street to the front of the Admiralty House.

The Madras battalion will march in at the Wallajah gate, and form a street round by the front of the arsenal to the Admiralty House,

A salute of seventeen guns to be fired on his Excellency's entering the fort, and the troops to continue under arms until he passes out, when he will again be saluted with the same number of guns.

The troops having been drawn out in conformity to the above orders, and William Perie, Esq. and E. Fallowfield, Esq. Members of the Council, having proceeded with an escort of the body guard to conduct his Excellency Meer Allum from his house to the fort, his Excellency, together with his son Meer Dowran, and with a numerous train of attendants, entered at St. George's gate about seven o'clock, and was immediately saluted with seventeen guns, and on his arrival at the Admiralty House was met in the varendah by the Governor-General Lord Clive, Vice-Admiral Rainier, Lieutenant General Stuart, and Major-General Brathwaite, the whole of the naval and military officers, and gentlemen of the civil service at the Presidency, having previously taken their seats in the great hall. His Excellency and Meer Dowran having received the usual compliments on their introduction, were conducted by the Governor-General, Lord Clive, and Vice-Admiral Rainier, to the upper end of the hall, and placed in chairs under a pavilion erected for the occasion, and, in compliment to the Nizam, covered with yellow velvet, being the appropriated colour at the Court of Hydrabad to his Highness the Nizam.

His Excellency remained in conversation with the Governor-General for more than half an hour, when his Lordship presented him and Meer Dowran, a pair of roses and beetle nut; upon which his Excellency took his leave with the same ceremony.

ceremonies and compliments as at his entrance.

Previously to the visit of his Excellency the Ambassador from the Subahdar of the Deccan, the Governor General held a levee, at which all the gentlemen of the settlement attended,

OCTOBER.

CALCUTTA, *Oa.* 3, 1799.

Letters from Mangalore, dated the 3d and 4th ultimo, mention, that an unfortunate artillery lascar, belonging to the ill-fated army of General Matthews, had effected his escape from the fort of Jemaulabad, and joined his friends at Mangalore. He reports, that he had been kept to hard labour, with a sentry over him, from the time of the capitulation, now sixteen years since, and that he left three or four more of his miserable companions in the fort when he quitted it.

To JOSIAH WEBBE, *Secretary to the Right Hon. the Governor in Council.*

SIR,

I am ordered, by the Court of Directors of the East India Company, to transmit you, for the information and guidance of the Right Hon. the Governor in Council, the accompanying Copy of the Resolutions of the Hon. House of Commons, prohibiting the Company from exporting copper to India for a limited time.

I am, Sir,
Your most obedient humble servant,
W. RAMSAY, *Secy.*
East India House.
London, March 26.

P. S. The Company had previously contracted for 1050 tons, 100 whereof is for Fort St. George,

RESOLVED, That it is the opinion of this Committee, that the East India Company ought to be prohibited, for a limited time, from contracting for any copper ore, or copper, for the purpose of exportation, and from exporting, or permitting to be exported, any copper ore or copper, except such as has been already contracted for.

RESOLVED, That it is expedient that copper ore or copper should be permitted to be imported for his Majesty's service without payment of duty.

(True Copies)

A. FALCONER, *Sub: Secy*

Fort William, Public Department,
Sept. 28.

The Right Hon. the Governor General in Council having taken into consideration the letter addressed to his Lordship on the 28th instant, by the Committee appointed by the British inhabitants of Calcutta, at the meeting held at the Theatre on the 17th of July 1798, and the possible inconvenience to which some of the subscribers of last year might be subject in consequence of the unexpected change of circumstances which has since taken place, has thought proper, with a view of providing for the receipt and remittance of all voluntary contributions in the current year for the support of his Majesty's Government in Europe, and of affording an easy means of relief from the operation of the late tax on income to all persons who may think proper to avail themselves of it, to publish, for general information, a copy of his Lordship's late correspondence with the Committee, together with the following resolutions of his Lordship in Council, similar to those which were passed on the same occasion last year.

To the Right Hon. RICHARD EARL of MORNINGTON, *K. P. Governor General of Fort William.*

MY LORD,

We, the Committee appointed by the British inhabitants of Calcutta,

cutta, at the public meeting held at the Theatre on the 17th of July 1798, adverting to the resolutions then entered into for the purpose of promoting voluntary contributions in this country for the support of his Majesty's Government in Europe, and to the consideration that several gentlemen have subscribed certain sums for that purpose to be paid annually during the war, beg leave to request, that your Lordship will give such directions as may appear most proper, to provide for the receipt and remittance of those subscriptions, as well as of such other voluntary contributions as may be entered into for the same purpose in the current year.

We have the honour to be, with the highest respect,

My Lord,

Your Lordship's most obedient

And faithful servants,

Thos Graham,	C Ful Martyn,
C W. Blunt,	Thos. Myers,
W N Cameron,	Cha Cockerell,
J P. Gardner,	G Hatch.
W. Burroughs,	

To the Committee appointed by the British Inhabitants of Calcutta, at the Public Meeting held at the Theatre on the 17th July 1798.

GENTLEMEN,

The Right Hon. the Governor General having communicated to the Board your letter addressed to his Lordship, under date the 28th instant; I am directed by his Lordship in Council to signify to you, that he highly approves of the measure which you have suggested, and that he will accordingly give the necessary orders to the proper officers under this presidency.

2. I am further directed by his Lordship in Council to inform you, that, adverting to the consideration, that some of the subscribers who entered into annual contributions last year, may have been regulated, in

regard to the extent of their subscriptions, by a view of the whole of their respective means, while the late statute imposing a tax of ten per cent. on such part of their income as may be derived from funds in England, could not have been at that time within their contemplation, and being desirous to do every thing in his power to guard against the possibility of a proceeding to honourable to the loyalty, public spirit, and wisdom of the British Inhabitants of this settlement, being attended with unexpected pressure or inconvenience to any subscriber; his Lordship proposes to advise the Right Hon. the Chancellor of his Majesty's Exchequer of the circumstances under which the subscriptions were made, and to request that orders may be given to the proper officers in England to consider the voluntary contributions of the subscribers at this presidency as applicable in the first instance to cover the tax upon income to which they may be respectively liable in England; provided that each respective subscriber who may think proper to avail himself of this mode of being indemnified from the operation of that tax, shall signify a desire to that effect in writing at the time of payment of his subscription, in case it shall be paid in cash in Bengal; or in case of its being discharged by bills on England, by a clause in the body, or note on the back of such bills.

I have the honour to be,
Gentlemen,
Your most obedient, humble
Servant,
G. H. BARLOW,
Sec. to Gov.

RESOLUTIONS.

1st, That the Sub-Treasurer at the Presidency, the Resident at Lucknow, the Collectors of Revenues in the several zillahs, and the Military Paymasters and their

their deputies at the several stations of the army, be authorized to open books for the purpose of receiving the subscriptions of such persons as shall be desirous of entering into voluntary contributions for the support of his Majesty's Government in Europe, and to receive into their respective Treasuries the amount of all contributions that may be tendered to them.

2dly. That the several public officers above-mentioned be directed to transmit to the Accountant-General a weekly register of the sums that shall have been subscribed in the respective books, and also a weekly register of all sums that may have been received on account of such subscriptions, and to enter in their respective cash accounts the whole of the monies that they may have so received, under the general head of 'FORT WILLIAM PRESIDENCY,' with the subordinate head of 'VOLUNTARY CONTRIBUTIONS FOR 1799.'

3dly. That the Accountant General be directed to make up an account, at the end of each month, of all contributions that may have been paid into the several Treasuries under this Presidency in the course of that month, and to prepare bills for the amount, to be drawn by the Governor General in Council on the Hon. the Court of Directors of the East India Company, at the exchange of 2s. 6d. per sicca rupee, payable twelve months after date.

4thly. That the bills to be drawn upon the Honourable the Court of Directors, as well as the bills that may be drawn by individuals upon their correspondents in England, in payment of their contributions, be made payable as follows:—To the Secretaries for the time being, to the Lords Commissioners of his Majesty's Treasury, or their order, an account of the (or my) voluntary contributions (or contribution) entered into in Bengal, to be applied to the public service, in such a manner as the wisdom of Parliament may direct, whether Great Britain shall continue in a state of war, or whether peace shall have been re-established.

5thly. That the Accountant-General be further directed to take charge of all such bills as may be tendered to him by individuals in payment of their contributions, and to forward such bills, and also the bills to be drawn upon the Honourable the Court of Directors, together with a regular register thereof, by the public packets, addressed to the Secretaries for the time being to the Lords Commissioners of his Majesty's Treasury.

Published by order of the Right Hon. the Governor General in Council,

G. H. BARLOW, Sec.

A meeting of the British inhabitants at Bombay having been called on the 2d of August, for the purpose of taking into consideration the terms of an address to the Right Hon. the Governor General, on the subject of the late glorious events in Mysore, the following was adopted, and transmitted to his Lordship accordingly :

To the Right Hon. the EARL of MORNINGTON, K. P. Governor General of India, &c.

MY LORD,

We, the undersigned British subjects civil and military, now residing in Bombay, beg leave to offer to your Lordship our sincere congratulations on the termination of the war with Tippoo Sultaun : a war founded in necessity and justice, prosecuted with extraordinary vigor, and crowned with unexampled success. In the accomplishment of this great object, whether we consider your Lordship's penetration in fathoming the perfidious designs of the Sultaun, in alliance with the French nation, in violation of a solemn treaty, and without a pretence of provocation to attack the British possessions in India ; the subsequent solicitude evinced by your Lordship to conciliate the Sultaun's friendship, and by recalling him to a sense of his obligations, to avert the calamities of war ; the policy, when every overture of conciliation had been disregarded, of obviating the menaced aggression by an immediate appeal to arms ; or the vigorous adoption of all the various measures essential to a successful prosecution of the war ; every thing equally excites our admiration and applause : And while the transcendent achievements of a gallant army, in execution of your Lordship's measures, and in the final conquest of the Sultaun's kingdom, have added

new

new and never fading laurels to their brow; it is matter of exultation to every British subject to observe your Lordship, in the moment of triumph, and in the plenitude of power and conquest, exhibiting to the descendant of a deposed Prince, to our allies, and to the world, a fresh instance of British honour, British faith, generosity and justice.

In the result of this conquest, as unprecedented in the rapidity of its completion, as it is unequalled in its importance, we behold the entire extinction of a cruel and relentless foe, a valuable acquisition of territory and power, the strength of our alliances in India increased, a destructive confederacy dissolved and defeated; which whilst it affords us the fairest prospect of a permanent internal tranquillity and security, relieves us also from the apprehension of external violence and invasion, by giving us a well-grounded confidence, that it must effectually frustrate the machinations and intrigues of the Directory of France, the inveterate and implacable foe of England, and the common enemy of established order, liberty, and government, in every part of the world.

In addition to these important benefits, arising from the glorious termination of the Myfore war, we entertain the pleasing hope, that the brilliant achievements in India, so opportunely aiding the splendid successes of his Majesty's arms in other quarters of the globe, will, from the extent of their influence, have a forcible operation in restoring to us the blessings of a general, permanent, and honourable peace.

Impressed with a deep sense of the honour and advantage derived to the British empire under your Lordship's government; feeling in common with his Majesty's subjects in every other part of India, the

immediate effects of your Lordship's recent measures, which peculiarly call for our warmest acknowledgments of respect and gratitude, and fully confiding in your Lordship's wisdom, integrity, and justice, that the powers of government will ever be directed to the true interests of the people, we cannot omit this occasion of assuring your Lordship, that we shall not, without regret, behold the arrival of the moment that must put a period to your Lordship's administration of the government of India.

We have the honour to be,
My Lord, with great respect,
Your Lordship's most obedient
Humble servants,

(Signed by 134.)

Bombay, August 3, 1798.

To which his Lordship was pleased to return the following answer.—

To the Gentlemen who assembled at the Public Meeting of the British Subjects, civil and military, residing in Bombay, on the 3d of August 1799.

GENTLEMEN,

It is peculiarly satisfactory to me to receive the honourable testimonies of personal esteem, and to observe the cordial expressions of zeal for the public service contained in your able and animated address.

The vigorous prosecution and prosperous issue of the late war with Tippoo Sultan are to be ascribed, under Providence, to that unanimous spirit of prompt obedience and cheerful co-operation which I found in every part of the British possessions, and in every branch of the public service in India. This happy disposition proceeded not more from a sense of duty and a regard for the principles of subordination, than from a general conviction of the justice of our cause, and of the indispensable

penfible neceffity of frustrating, by a feafonable effort, the fyftematic treachery of our faithlefs, implacable, and infatuated enemy.

The diftinguifhed part which the fettlement of Bombay has borne during the late criſis in the labours and honours of the common cauſe, has repeatedly claimed my warm approbation, and will ever be remembered by me with gratitude and reſpect. In your liberal and voluntary contribution towards the exigencies of your native country, and towards the defence of the Prefidency under whoſe government you reſide, and in the alacrity with which you have given your perſonal ſervices for the military protection of Bombay, I have contemplated with pleaſure the ſame character of public ſpirit, reſolution and activity which has marked the ſplendid ſucceſs of the gallant army of Bombay, from the commencement to the cloſe of the late glorious campaign.

The extenſive power which the reſult of the war has placed in the hands of the allies, has enabled them to conclude the pacification on ſuch principles of moderation and equity as afford a reaſonable proſpect of permanent ſecurity and repoſe.

Your unfolicited aſſurances of confidence and eſteem confirm my deſire and hope of deriving from the recent fettlement of Myſore the inefſtimable advantages which it promiſes to the intereſts and honour of Great Britain, and to the peace, happineſs, and proſperity of the native inhabitants of India.

I have the honour to be,

Gentlemen,

Your faithful ſervant,

MORNINGTON.

Fort William, Sept. 17, 1799.

On Saturday the 28th of September, the Right Hon. the Governor General held a levee for the recep-

tion of the foreign Vakeels and principal native inhabitants of Calcutta; on which occaſion, three addreſſes in the Perſian and Bengal languages, ſigned by various claſſes of the native inhabitants, were preſented to his Lordſhip, by the perſons nominated for that purpoſe.

The following are tranſlations of the addreſſes :

Translation of an Addreſs from certain of the Native Inhabitants of Calcutta, to the Right Hon. the Governor General.

(After an invocation to the Deity,)

We humbly beg leave to repreſent to your Lordſhip, that, at this happy and propitious time, when the Almighty has thrown open the gates of joy and gladneſs to the world, and univerſally planted the auſpicious ſtandard of happineſs and delight in the hearts of mankind, we have been gratified by the pleaſing accounts of the fall of Seringapatam, the deſtruction of Tippoo Sulṭaun, and the annihilation of his power, the poſſeſſion of his forts and territories, and the capture of his ſons and principal officers by the Britiſh troops, favoured by the aid and aſſiſtance of Almighty Providence, and the propitious fortune of the Hon. Company, and through the wiſdom of your Lordſhip's meaſures, and the unexampled energy, perſeverance, and fortitude which characterized the proſecution of them.

The firſt intimation of this God-given victory afforded a ſource of ſincere and inexpressible gratification to the friends and well-wiſhers of the Britiſh nation; ſuch has been the exceſs of our joy, that our tongues have never ceaſed to utter the expreſſions of our congratulations on this ſignal ſucceſs.

Your Lordſhip's ſpeedy return to this country, crowned with victory and ſucceſs, conſtantly formed the

the sum of our wishes, and the object of our prayers to the Almighty, that we might have the happiness of approaching your Lordship, and offering our tribute of gratitude and thanks.

We now beg leave therefore to offer our sincere congratulations to your Lordship on the successful issue of the war, with our earnest hopes that Providence may prosper this happy event to your Lordship, and the friends and adherents far and near of the Company and the King of Great Britain, and, by the aid of similar and increasing successes, ever preserve your Lordship in power, dignity, and splendor, presiding over this country, dispensing justice, benefits, and favours to its inhabitants.

(Signed and sealed by 50.)

To the Right Hon. RICHARD Earl of MORNINGTON, K. P. Governor General, &c.

The humble Address of certain of the Native Inhabitants of Calcutta

Since your Lordship, through your all-discerning wisdom, contemplated the final overthrow of the unjust and malevolent Tippoo Sultan, our prayers for the speedy accomplishment of your Lordship's wishes have been uniformly offered up to the Divine Power.

Victory, the mark of Divine favour, being ever attendant on your Lordship's glorious career, the Sultan's dominions ever easily penetrated, his impregnable forts stormed, and the mighty foe himself annihilated, and his numerous army overcome;—these brilliant facts have filled our minds with admiration and astonishment.

Your Lordship's granting life and protection to the vanquished Sultan's sons, and restoring the descendant of Ram Rajah to his long usurped kingdom, are acts which have caused your fame to be spread over the whole universe.

These tidings were grateful to us, and convinced us that your Lordship is sent by Providence to be the asylum of those destitute of support, and the exalter of the humbled.

Your Lordship's exalted mind, adorned with every virtue, being constantly occupied in protecting our lives and property, and annihilating those inimical to them, further evinces your Lordship being sent among us as a blessing, for our preservation and happiness.

Having obtained the fulfilment of our most ardent wishes by your Lordship's auspicious return to this Presidency, we have only to invoke the Divine Power to continue propitious towards us, and grant that we may long have the happiness of living under your Lordship's government, securely protected by your profound wisdom and consummate abilities.

Conscious of our inability to set forth the praise due to your Lordship's superior talents, to enumerate the benefits resulting to mankind from your late glorious achievements, we can only attempt, with the utmost humility, to offer to your Lordship the sincere and cordial congratulations of a community whose minds are deeply impressed with sentiments of respectful attachment and gratitude towards your Lordship, to whom they will ever look up as their asylum and protector.

(Signed by 200.)

Translation of an Address from certain of the Native Inhabitants of Calcutta, to the Right Hon. the Governor General.

How happy is the time, and prosperous the season, which diffuses prosperity and glory to this country, and joy and gladness to the hearts of high and low, by the auspicious return of your Lordship! May your shadow

shadow and influence be perpetually attended by victory and triumph, dignity and power, from the war with Tippoo Sultaun, which has caused congratulations and eulogations to resound from every quarter, and diffused the bloom of freshness over the earth and the age, and honoured and exalted its inhabitants!

The destruction of Tippoo Sultaun, and the annihilation of his power by the valour of the British troops, and the possession of his strong fortresses and extensive dominions, together with the re-establishment of the ancient and lineal family on the throne, a measure characterized by justice and right, and evincing the benevolence and feeling of your Lordship's mind, has impressed us with perfect confidence and satisfaction, and secured to us the blessings of present and permanent tranquillity.

Your Lordship's successful prosecution of this war is productive of ease and security to the inhabitants of Hindustân, whose minds constantly laboured under the apprehension of danger from the violence and bigotry of the late Sultaun: and the Almighty God has granted the object of our prayers, by your Lordship's speedy and triumphant return to give honour and distinction to the feat of Government.

Language cannot adequately express the grateful sense we entertain of these essential benefits and signal successes, yet, at the same time, our prayers are offered up to the Almighty Giver of all victory, that the auspicious shadow of your Lordship and the British Government may, through his divine blessing, be extended over the inhabitants of this country. *(Signed by 55.)*

To the foregoing Addresses, his Lordship was pleased to return the following answer;

Vol. 2,

*To the Native Inhabitants of
Calcutta.*

The addresses of the several classes of the native inhabitants of Calcutta are particularly acceptable to me, as affording an honourable testimony of their attachment to the interests of the British Government, and of their individual regard for me.

The hostile designs of the late Tippoo Sultaun have been manifested to all India. As soon as I discovered his treacherous negotiations with the enemies of the British Government, it became my duty, according to the acknowledged principles of self-defence, to assemble the British troops, and to warn the Allies of the common danger.

The unprovoked aggression of the Sultaun would have justified an immediate appeal to arms. But my anxiety to avert the calamity of war induced me to employ every effort of conciliation for the amicable adjustment of all differences on just and honourable terms. Tippoo Sultaun obstinately rejected these friendly advances, and evaded every attempt towards a pacific negotiation, until the advanced period of the season favoured his hopes of deceiving the allies by artificial delays, and of frustrating the formidable military preparations which his treachery had provoked. War now became indispensably necessary for the common security of the Hon. Company and of the Allies.

It has pleased the Divine Providence to favour the justice of our cause, and to crown our arms with the most signal success. The evil designs of an implacable enemy have become the instrument of his own punishment, and the source of security to the powers, whose destruction had been for many years the favourite object of his inordinate ambition, and of his desperate spirit of revenge.

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The interest and inclination of the British Government, is to maintain peace and friendship with all the states of India, but the rapid fall of Tippee Sultan affords a striking example of the fate of those who violate the obligations of public faith, and abandon solemn treaties, in the vain hope of subverting, by falsehood and fraud, the established power of the Hon. Company.

The destruction of our false and insidious enemy has opened a fair prospect of permanent tranquillity, and I am peculiarly happy to have been enabled to combine the security and interests of the Alliance with the principles of moderation and humanity, by providing a munificent establishment for the families and principal officers of Hyder Ally and Tippee Sultan, and by placing a liberal descendant of the family of Mysore in a state of affluence and dignity.

I am equally gratified to find, that the inhabitants of this city justly appreciate the benefits resulting to them from the late brilliant successes of the allied arms in Mysore, and from the happy settlement of that country.

I return you my thanks for the sense which you have expressed of my endeavours to promote the internal prosperity of the Company's possessions, and the welfare and happiness of the Company's subjects. It will ever be the object of my most anxious solicitude to protect your interests, to secure your tranquillity, and to maintain the honour of the British name in India, by the same system of government which has enabled you to offer to me this satisfactory pledge of your confidence and esteem.

(Signed) MORRINGTON.

On Wednesday the 4th ult. the brother of Rajah Petumber quitted

this mortal coil, and, shocking to relate, with the corpse, which was burnt on Thursday morning, between eleven and twelve, at *Coffinart Bunder's Glant*, two fine young women, wives of the deceased, were also committed to the flames.

We have been favoured with an extract of a letter from Dinapore, dated the 5th ult. giving the particulars of an inundation which had prevailed, during twelve days preceding, in that cantonment and the surrounding country. The water was a foot deep on the highest spots of the squares and parades, and the communication from house to house was maintained in boats. The water had been subsiding for two days; and the exhalations from the parts lately overflowed were intolerably offensive.

Another letter says, the water of the Soane began to rise at Koilwar on Saturday the 31st ult. at 4 p. m. and by 8 it had spread to such a degree, that nothing could be seen but huts, trees, and a few rising spots. Several mud walls fell, but fortunately no person was hurt. From midnight till morning the water had fallen four inches, and about 6 inches more by eleven o'clock. But at Moneah, which is within an hour's run of Koilwar, the water increased till eight or nine o'clock on Sunday evening, or twenty hours after it began to subside at Koilwar. Our correspondent is at a loss to account for this circumstance: it might, he observes, be ascribed to the Ganges being very high, and so obstructing the free exit of water from the Soane. But such a cause, he conceives, would have occasioned a considerable diminution of current, whereas that continued the whole of Sunday with uniform rapidity. The inundation was much greater than last year. Many gentlemen were obliged to leave

leave their bungalows, and pitch tents on the highest spots.

A letter from Futtighur, dated the 16th ult. states the rain to have been of late heavier and more constant than any within the memory of the oldest person in cantonments. Not five yards of a mud wall remained about any of the bungalows, which has greatly improved the prospect to all uninterested spectators, as the gardens are all exposed to view.

ALIBONA, June 24.

All commanders of trading ships, or of any other ship whatsoever, importing goods for sale, on whatever account it may be, whether prizes or private property, on their arrival in this port, are to present the manifest and invoices of the cargo to the farmer of the customs, without concealing any part thereof, under pain of forfeiting one hundred ducatoons.

All goods whatsoever, that are not disembarked at the Wharf Head, are to be disembarked at the Sabandha, or Custom-house, and nowhere else, and there to be opened,—the goods that may be taken out of ships lying at the Wharf Head, are to be opened there before they are carried any further, in the presence of the farmer of the customs, or his deputies; any person deviating from this, will be fined 25 rix-dollars, and forfeit such goods as they may attempt to smuggle or dispose of in any other manner.

All goods whatsoever brought here from whatever part, belonging to any person soever, sold at this place, as well the Hon. Company as individuals, must pay the duties mentioned hereunder, no person being exempted therefrom, except such goods as are sent and come originally on account of the Hon. Company, but not those which are sold to, or bought by the Hon. Company here.

The port-master has proper instructions, at the Wharf Head, to prevent molestation being done to the farmer on landing and opening the goods.

The sentinal at the Wharf Head has strict instructions not to let pass any goods whatsoever, without the license or permission of the port-master, to whom the farmer must give timely notice, when the goods have been seen.

The farmer has permission, for the better exercising his duty, and to prevent loss by smuggling, &c. &c. to erect a small shed for his people near to the Wharf Head.

No person, on pain of paying 25 rix-dollars, shall ill use, or otherwise abuse the farmer of the customs, or his deputies, in the execution of their duty.

RATES OF DUTY.

All kinds of western cloths, Bengal, Coromandel, Ceylon, &c. to pay 6 per cent.

Java Cherriban, Baly Bantam, Macassar, or other kind of eastern texture, to pay 15 per cent.

All kinds of China merchandise imported to pay 10 per cent.

All kinds of goods moved from one ship to another must be first landed, and pay a duty of 5 per cent.

For every last, or 3000 H. Dutch weight of rice imported, to pay 2 rix-dollars, and for every last of paday 1 rix-dollar.

All sorts of provisions, &c bird's nests, tripangs, massay, agamgar, tortoise-shell, shall pay 5 per cent.

On live cattle no duty to be paid.

On arrack to be paid 5 rix-dollars per leaguer, 1 ducatoon for a third part of a leaguer, 24 stivers for a case, 30 stivers for 30 bottles.

All European liquors are exempted from duty.

Nutmegs, mace, and cloves, are
† D 2 prohibited

prohibited to be sold, except by the Company.

All goods not particularly specified in the above, to pay 5 per cent. to the farmer of the duty, upon the sale of the goods.

No commander of any merchant ship arrived at this port, to receive or entertain any person whatever, not being part of the crew brought into port, unless such person has permission from under the hands of the Governor, and, in his absence, of the Commanding Officer or the garrison, on pain of being fined the sum of 500 rix-dollars for each person discovered on board the ship, not part of the crew above mentioned, and commanders of ships, on entering any men here to serve as part of the crew of his ship, are to take all such people individually before the Fiscal, that he may take cognizance of their persons, and give a certificate under his hand, that there are no objections or impediment within his knowledge against such persons being received as part of the crew.

R. T. FARQUHAR, *Resident*.

A letter from Prince of Wales's Island, dated the 1st of September, contains the melancholy intelligence that the Union grab was seized by the Malays, Captain Welland, her commander, the second officer, and many other persons, barbarously murdered, on the coast of Pedier. To this act of treachery they are said to have been excited, in consequence of Captain Welland's having endeavoured to compel payment of a sum for which he had given credit to the Malays; the time agreed on having elapsed without any disposition being evinced on their parts to make good their engagement. And the opportunity of effecting their purpose was obtained under the pretence of paying a part of the amount in pepper and beetle-nut. The mur-

der was committed by twelve stout and resolute fellows, selected for the purpose. That was no sooner accomplished, than they were joined by nearly 1000 men from the shore, who seized the grab, and by her means took possession of a small Danish vessel, belonging to Messrs. Harrop and Stephenson of Tranquebar. They also gave chase to another vessel, which escaped by superior sailing.

Address from the Inhabitants of Calcutta to the Governor General.

The Committee appointed to present the Address of the British Inhabitants of Calcutta to the Right Honourable the Governor General, assembled on the 21st ultimo at the theatre, pursuant to an advertisement, for the purpose of proceeding with the Address to the Government House.

The Chairmen reported to the Committee, that, in conformity to their instructions, he had the honour to wait upon the Right Honourable the Governor General on his arrival at the Presidency, and to submit to his Lordship the proceedings of the inhabitants, that he had the highest satisfaction in informing the Committee, that his Lordship expressed, in the most flattering terms, how very much he was gratified by the kindness of the inhabitants in the Address which they had voted him, and at their whole proceedings upon the occasion, and that he should have the greatest pleasure in complying with their request of sitting for his picture.

The Chairman further reported, that the Right Hon. the Governor General had appointed that morning at ten o'clock to receive the Address; he had in consequence published an advertisement, requesting the favour of the Committee, and such other gentlemen as might please

please to attend, previously to assemble at the theatre, and he now proposed to proceed with the Address, which was agreed to accordingly.

The Committee, attended by a numerous body of the gentlemen of the settlement, having arrived at the Government House, they were introduced to the Right Hon. the Governor General, who was accompanied by the Chief Justice, the Commander in Chief, and by the officers composing the suite of the Governor General, when the Chairman read and presented the following Address :

To the Right Hon. RICHARD Earl of Mornington, K. P. Governor General, &c.

MY LORD,

We the British inhabitants of Calcutta, impressed with a deep sense of the great benefits which the public interests have derived from the wisdom and energy of your Lordship's councils, and the glorious termination of the late war with Tippoo Sultaun, beg leave to present our sincere congratulations on the splendid events which have crowned your Lordship's measures with such rapid and complete success.

The fall of Tippoo Sultaun and his capital, the capture of his sons, the submission of his chiefs, the annihilation of his power, must secure to the Company's possessions the blessing of internal tranquillity ; increase beyond calculation the resources, strength, and stability of the British empire in the East ; and, while they reflect the highest honour on the General and the Army, by whose brilliant victories your Lordship's objects have been accomplished, must transmit your Lordship's name with distinguished lustre to posterity.

The restoration of the injured race of princes, whose dominions their rebellious subject Hyder Ally had usurped, and whose immediate descendant your Lordship has raised from a prison to a throne, the liberal provision your Lordship has bestowed on the family and chiefs of our implacable and cruel enemy the late Sultaun of Mysoore, and the partition of the conquered countries, demand our warmest applause, and cannot but increase the confidence of the native powers in the justice and clemency of the British nation.

To your Lordship's vigilance, energy, and wisdom, Great Britain is indebted for all these great events ; which, combined with the invaluable result of your Lordship's previous negotiations at the Court of Hydrabad, have not only relieved the British possessions, and those of their allies, from the constant apprehension of invasion, by a restless and ambitious prince, whom no moderation could appease, but must also extinguish every hope our inveterate enemies of France so anxiously cherished, of involving these happy countries in the calamities and horrors which they have spread over so many other regions of the globe ; and will, we trust, under Divine Providence, essentially contribute to the final deliverance of Europe from the chains which they have imposed, and to the ultimate object of every just and necessary war, a lasting, safe, and honourable peace.

We beg leave to offer our most respectful congratulations to your Lordship on your safe return to the chief seat of government, where we earnestly hope you will long continue to preside, and add to those great and numerous claims on the public gratitude, which, by such important and distinguished services,

vices, your Lordship already has acquired.

We have the honour to be,
With the highest respect,
My Lord,

Your Lordship's most obedient
and humble servants.

(Signed by upwards of 600).

Calcutta, 21st August 1799

To which the Right Hon. the Governor-General was pleased to return the following Answer :

GENTLEMEN,

I receive this distinguished mark of your regard with sentiments of satisfaction and gratitude proportioned to my experience of your approved loyalty and public spirit, and of your just sense of the interests and honour of the British Empire in India.

The prosperous termination of the late campaign in Mysore is a proper subject of public congratulation. The British arms have seldom achieved a conquest of greater lustre or value, and never were employed in a cause of more urgent necessity, or of more manifest justice. The progress of our success has revealed additional justifications of our original appeal to the sword, and the final triumph of our arms has been enhanced by the satisfactory reflection that the war, which terminated in the destruction of our enemy, originated in his implacable hatred, flagrant treachery, and unprovoked aggression.

Under the blessings of Providence favouring the justice of our cause, the rapid and uninterrupted course of our victories is to be ascribed to the admirable valour, skill, and discipline of the gallant officers and troops employed in Mysore, to the predominant influence of the British character in India, and to the intrinsic vigour of our extensive resources and established power.

It was my duty to make a seasonable use of these eminent advantages, and in the unanimity of our counsels, in the zeal, talents, and happy subordination of every branch of the civil and military service throughout the British possessions, I found the principles of that spirit of alacrity and ardour which accelerated the equipment of the army, and secured the early success of the war.

My thanks have already been offered to the governments and inhabitants of the Presidencies of Fort St. George and Bombay, for the distinguished part which they have borne respectively in the late arduous crisis of affairs.

I am happy to avail myself of this public occasion to declare, that from this Presidency I received the most effectual and timely aid, to an extent which fully justified my confident expectations of cordial co-operation from the respectable hands which, during my absence, administered the government of Bengal.

In reviewing the more immediate causes of our success, I cannot repress a tribute of gratitude to him, who laid the foundations of that strength, which it has been my lot to call into action. The name of the Marquis Cornwallis is inseparably connected with the fame and power of Great Britain in this quarter of the globe, and will continue to be an object of affection and reverence, as long as wisdom, fortitude and integrity shall be respected, or any sense retained of justice, clemency, benevolence, public faith, or military glory. The final conquest of Mysore recalls the memory of that glorious war, in which the first shock was given to the hostile power of Tippoo Sultan. It must never be forgotten, that, under the auspices of the Marquis Cornwallis in that war, the supply

and

and movement of our armies in Mysore were first reduced to a system of regularity and order, and our officers acquired that experience and skill so conspicuous in the able and masterly operations of the late campaign. Under the same auspices, the whole system of our defensive alliances in the Peninsula of India was founded, and the national faith was maintained in a degree of purity and lustre which inspired a general confidence in the British Government, and disposed the native powers to strengthen and cement their connection with the Company on the solid basis of reciprocal interest and mutual security. Thus favourable disposition was confirmed by the prudence, integrity, and honour of my immediate predecessor, and in the important negotiations which it has been my duty to conduct, I have derived considerable assistance from the advantageous impressions of the British character, which I found deeply fixed in the minds of our allies.

Possessed of such powerful means, I have been enabled not only to prosecute the war with success, but to conclude the partition of our conquests on principles of moderation and equity, conformable to the laws, the honour and policy of the British nation, and affording the most rational promise of permanent security to the possessions of the Company, and of general tranquillity to India.

To whatever situation the course of future events may call me, the assurances of your personal confidence and esteem must always be highly honourable to my character, and grateful to my recollection.

While the administration of this arduous government shall be entrusted to my hands, my earnest endeavours shall be constantly employed to secure and improve our

recent acquisitions of territory, wealth and power, and to guard the prosperity and happiness of these opulent and flourishing dominions by such effectual precautions as shall avert the aims and aims of France, and discourage her spirit of enterprise, or frustrate its ruinous effects.

(Signed) MORNINGTON.

MADRAS, Sept. 14, 1799.

On Monday evening the Right Hon. the Governor gave a splendid *fete*, at his garden house, to the ladies and gentlemen of the settlement, on the return of General Harris from the conquest of Mysore; which, in design, conduct, and effect, was the happiest entertainment ever witnessed at this Presidency.

General Harris and his family entered the pavilion at nine o'clock, when the bands of music hailed him with the well-known and appropriate air of "*See the conquering hero comes*."

His Excellency Meer Allum, ambassador from the Sabahdar of the Deccan, and his son Meel Dowran, were present, with an immense concourse of the first ladies and gentlemen of the settlement.

We are sorry to learn, from the following extract of a letter from Penang, the melancholy consequences of the capture, by *L'Uni*, of the *Prince of Wales* cruiser, to the unfortunate persons who composed her passengers and crew.

"Penang, Sept. 1.—The French captain landed them at Soosoo, on the west coast of Sumatra, at which place they embarked on board a Paria vessel, (purchased by Captain Fitzherbert, whose ship had also been captured in Soosoo Roads,) and on their way to this port were shipwrecked at a place called Aralaboo, about two degrees to the southward

of Acheen, where they all got so sickly, that, out of fifteen Europeans, including the officers, passengers, and crew, which left this place in the cruizer, twelve died there. The other three, together with Captain Fitzherbert and his officers, were brought here two days ago by *L'Imperiense*, Captain Rowley, who had gone to Soosoo to look for them, at which place he received intelligence where they were. The survivors would have held out but a few days longer, as they were in so weak a state as to be scarcely able to crawl. The chief officer, Macqueen, and two seamen, were the three who returned alive of those belonging to the cruizer. Mr. Ross the captain, Mr. Robert Sadlier the second officer, Mr. Hutchings, and another passenger, Lieut. Foot of the Madras Establishment, and belonging to the garrison of Malacca, all died, together with the gunner and seven of the European seamen. The lascars were all taken away by the privateer."

The following are the particulars of the death of Captain Wilson, of the brig *Limbee*, and Mr. Davies, his chief officer, as given by Captain Risden of the ship *Duke of Clarence*.

"At one *a. m.* discovered two sail in sight to windward, and at four found them to be a ship and a brig: the former fired a gun, and hoisted English colours. Supposing them to be in distress, hove too. at seven, spoke them, they proved to be the *Union*, Captain Sparrom, with the brig *Limbee* in tow, belonging to Amboyna, and formerly commanded by Capt. Wilson, who, together with his officer Mr. Davies, had been cut off by two Malacca Malay lascars on the 27th of July, on board the brig. The gunner and two Dutch seacunnies seeing the fate of their captain and officer, got

up on the tops, where they remained for the night, while the Malays had taken possession of the cabin, and were drinking liquor. The next morning the Malays came on deck, armed, and threatened to take their lives if they did not immediately descend, and promised to convey the brig to Macassa; in which case only they should be spared. the gunner conceiving it possible to recover the vessel, came down and took charge of her. The next morning, when one of the Malays being forward, a seacunny, who was splitting wood near where he stood, watched the opportunity of knocking him down with his axe, and, on repeating the blow, killed him; while the other abast shared the same fate from the hands of the gunner. Captain Sparrom filling in with the brig on the 30th, took her under his protection, and sent an officer on board, being himself bound to Amboyna."

BOMBAY, *Od.* 1, 1799.

A melancholy accident occurred at the house of Mr. Lechmere, on the 27th of October. A slave boy, about 7 years old, while playing on the floor, was bit by a snake, he cried out, but so subtle was the poison, that he became almost immediately senseless. The Eau de Luce, together with every possible assistance, was plentifully applied; it afforded however only a temporary relief, for the boy languished until the next morning, when he expired in convulsions. The snake was killed, when it was discovered to be of the description called "the Carpet Snake," whose bite we understand is particularly baneful.

A letter from Amboyna gives the following account of an enormous snake which made its appearance at a place called Golontala, on the island Celebes. A Malay prow making

making for that port, and finding she could not enter it before dark, came to anchor close in shore for the night. One of the crew went on shore in quest of beetle nut in the woods, and, on his return, lay down, as is supposed, to sleep on the beach, a common custom with people of that description. In the course of the night, his comrades in the boat heard his cries, and went immediately to his assistance, but too late to save his life, an immense snake having crushed him to death. These people, knowing that this kind of snake never diverts its attention from the prey which it has once seized until it is devoured, went boldly up to the monster and cut its head off, carrying it and the body of the deceased on board their boat.

The gentleman to whom we are indebted for this account, saw both the next morning; and found, on examining the latter, that the snake had seized the unhappy man by the right wrist, where the marks of the animal's fangs were very distinct; and the mangled corpse bore evident signs of having been crushed, by the snake twisting itself round the head, neck, breast, and thigh. Our correspondent extended the jaws of the snake, stiff as they were, wide enough to admit a body, the size of a man's head; and the whole length of the animal was described to be from about 28 to 30 feet, and equal in circumference to a moderate sized man. By the account of survivors, this kind of snake swallows men and bullocks, after having crushed them, as in this instance; which our friend, judging from the capacity of the jaws in the state in which he saw them, found no difficulty in believing.

On Monday morning, the 28th of October last, an express arrived at the General Post Office, Bombay, from Malulipatam, conveying ac-

counts of the capture of the under-mentioned ships, by a French privateer, a little to the northward of Madras Roads.

The Nabob of Arcot's ship, *Surprize galley*.

The *Princess Royal*, formerly a Company's ship.

The *Thomas*, do. an extra ship.

The *Joyce*, belonging to Malulipatam.

The *Lord Hobart*, do. Madras.

The crews of the *Surprize galley* and *Lord Hobart*, were landed at Point Divy, and had arrived at Malulipatam.

We understand one of the above ships had on board a very valuable cargo of bale goods, which she had collected at the different factories on the coast, and with which she was proceeding to Madras.

The privateer by which these ships was captured, is supposed to be the *Malatic*, mounting 12 guns, and commanded by the same person who took the Danish ship *Hæbbot*, on the coast, some months ago.

NOVEMBER.

CALCUTTA, Nov. 1, 1799.

Extract of a letter from the Island of Java.

At least one hundred neutral ships have arrived here annually for these five years past, each of which, on an average, must have left full 70,000 dollars in specie, making the enormous sum of 85 millions of dollars, all of which is still on the island, besides immense magazines of produce.

It is the finest island in the East, and, with the exception of Batavia, is not unhealthy.

It would fall an easy conquest to a few thousand men.

Many traces of the ill-fated vic-
tims

times to the late Tippeo Sultan's cruelty, such as sleds, buckets, camel packs, and a variety of other carriages, belonging to the unfortunate captives of General Matthews's army, were found in Cundapor.

We are happy to learn, that in consequence of the wise measure adopted by the Government, the extensive forests of grain and other food entirely vanished; and that, in consequence of the timely advice, which had been as to 15 pagodas per acre, was raised at from 75 to 80 pagodas.

Madras, Oct. 6.—"We have just heard of the death of Purseram Bhow, in a duel with the Calipore Rajah, and it can be had been mourning his loss for the last two weeks. The action, in which he is said to have been killed, was fought at Chelung. The camp of the British was there plundered, and it is added, that his two sons were wounded severely in the action, and his army totally dispersed."

Pennah, Sept. 16.—Yesterday accounts were received that Chutter Sing, who is of the family of the Rajah's son, and the Rajah of Purnanna, having united their forces, attacked Purseram Bhow, who fell in the engagement. The Puthwa, on receiving this intelligence, expressed great concern, and ordered the beating of the mout to be stopped. Orders were given for reinforcements to be sent to the sons of Purseram Bhow.

Barrick, Oct. 4.—A pair of Cafeds from Moultan brought accounts that a great engagement had taken place between the army of Zemaun Shah and the King of Persia, where, in the latter was defeated. Hostilities have also taken place between the Rajah of Jummoo and a detachment of the Shah's army.

Chunar, Oct. 30.—Major-Ge-

neral Eisdine was this day buried with the honours due to his rank.

BOMBAY, Oct. 16, 1799.

MAJOR-GENERAL HARTLEY.

On the death of General Hartley, the Bombay government has thus expressed itself—"It is with the most sincere concern that Government have received intelligence of the death, on the 6th inst. of Major General James Hartley, an officer whose full experience, and established professional ability, will be long remembered by the army of this Establishment, which he has so often either accompanied or led to victory."

The death of Major-General Hartley took place on the evening of the 4th instant at Cannanore, an event that must naturally have been expected from the melancholy accounts that preceded it. It is much to be regretted that a character so eminently conspicuous for military talents, and who possessed so many other valuable qualities, should be snatched from his country at this interesting crisis, when his services and judgment would have so materially contributed to her assistance.—but it requires not from us the flowing language of panegyric to adorn a name which was so universally known throughout the settlement; where his professional abilities, social virtues, and urbanity of manners, had procured him a degree of estimation and respectability that will perpetuate his memory as a valuable officer, a sincere friend, and an honourable man.

Letters from the Cape of Good Hope mention, (without any prelude to hostilities, although there was no doubt something introductory,) that the Caffres having refused to give up some Dutch prisoners

foners in their possession, General Vandeleur, on the 5th of May last, directed Lieut. Chomney of the 31st regiment, with sixteen men of the flank companies, to take satisfaction for their contumacy by cutting off their cattle in the first instance; which punishment was probably intended to be followed by something more decisive. While Lieut. Chomney was engaged in the execution of his orders, he fell in with a body of from four to five hundred of the enemy, who made a determined attack on that unfortunate gentleman's handful of men. Lieut. Chomney defended himself until all his party were killed, and then rode back, with three spears in his body, to a baggage wagon, which was a short distance in the rear, attended by four men, whom he enjoined to save themselves in the best way they could, adding, that he was a dead man. Many Caffres were then in pursuit of Lieut. Chomney, and were so intent on singling him out as the remaining victim of their vengeance, that they left the four men unhurt, and they escaped.

On the 8th of May a very large body of Caffres attacked Captain Bingham of the grenadiers of the same regiment, who was fortunately better provided, having with him two field pieces. They persevered in their attack, however, with great resolution for an hour and a half, and even had the temerity to advance within fifteen paces of the guns, but were driven back with the loss of 300 of their number left dead. Captain Bingham lost seven men on this occasion, and has probably given that species of enemy such an earnest of the effect of fire arms in the hands of disciplined troops, as will render them more tractable in their intercourse with the officers of Government in future.

We have at last the pleasure of announcing the fall of Jemaulabad, the last strong-hold of the dominions of the late Sultan of Mysore. Jemaulabad is about twenty miles to the N. E. of Mangalore. On the evening of the 4th of October 1799, a two gun battery and two mortars opened against the fort, and continued to fire during that and the following day without intermission, and attended with great effect on the lower works, which were very much damaged, but no breach made. It was however determined to assault from the following morning, for which purpose Major Spry, with two grenadier companies of Europeans, and one company of the native grenadier battalion, was appointed to attack on the left or eastern side, and Major Patterson, with one company of European grenadiers and two companies of his own corps, was directed to make an attack on the right or western side. The covering party, consisting of one company of European grenadiers, and one of the native grenadier battalion, was put under the command of Major Malcolm Grant, the whole under the directions of Lieut. Col. Montefor. The detachments intended for the different attacks marched off about four o'clock in the morning of the 6th, and by day-break were close under the lower works, which they scaled at the same time without opposition, except from the fire of the upper fort. The second gateway was carried with equal ease and success, but a small party of the 75th making an attempt on the third or upper gateway, were forced back, with two killed and 25 wounded, by stones, which were hurled with irresistible violence from the upper works; Captain Dunsmore was much bruised on this occasion. Col. Montefor had many narrow escapes

escapes on this day, but fortunately came off unhurt. The troops continued all that day under cover of the rock; the garrison shortly after called out for cowle, and having soon afterwards surrendered at discretion, marched down to the number of 2 killedars, 1 sippadar, (commander of 200 men,) 2 tipdars, (commanders of 100 men,) 6 hisdars, 18 duffadars, 2 orderleys, 1 colour bearer, 1 fukier, 2 2 sepoy's, and 80 servants and inhabitants. The only property found in the fort consisted of rice and poultry, of which there were large quantities, and some copper and piglead, many guns, and a large quantity of ammunition were found in the place. The head killedar poisoned himself, four days after the surrender. When our accounts came away, the whole garrison were in confinement, and it was thought that examples would be made of some of the officers for their wanton obstinacy.

Capt. John Shaw of his Majesty's 77th regiment had a narrow escape from an assassin, a day or two previous to the attack on the lower fort. A Mapillah stole into camp for the avowed purpose, as he is said to have declared, of putting to death an English officer; and Capt. Shaw, who was then standing in the door of his tent, was the first who occurred. The villain immediately assaulted him with a sword, which he had concealed under his cloak; but Capt. Shaw instantly closing with him, fortunately succeeded in disarming him, receiving in the scuffle several wounds, none of which, we are happy to add, were dangerous. Capt. Moncrieff, it seems, was near the spot, and run the Mopillah through the body: he survived, however, to suffer the punishment due to his crime, and was hanged on the next day.

DECEMBER.

CALCUTTA, Dec. 1, 1799.

On Wednesday the 4th instant the Sessions of Oyer and Terminer commenced before the Hon. Sir John Anstruther, Bart. Chief Justice, the Hon. Mr. Justice Roysds, and the Hon. Sir Henry Russell, Kt. — The charge to the Grand Jury was delivered by the Hon. Mr. Justice Roysds.

The Kalendar exhibited the following crimes: one perjury, three murders, two frauds, one felony, one burglary, two assaults.

NAUTICAL INFORMATION.

The public is hereby informed, that the flag staff of Chittagong was, on the 1st December 1799, removed from the hill on which it has hitherto stood, to one (the Bunder Hill) nearer the sea, and bearing from the entrance of the river two miles without the Bar, N. E. by N.

N. B. The best anchorage of the river 6½ fathoms at low water, with the flag staff bearing as above, N. E. by N.

Published by order of the Marine Board. J. SHORE, Secy. Fort William Oct. 29, 1799.

The members of the Phoenix Insurance Company have presented Captain Joze Severiano de Moriea with an elegant sword, value one thousand rupees, to mark the high sense they entertain of his gallant conduct in attacking and beating off the French privateer.

Extract of a letter from Lieut. A. Davidson, prize master of the corvette La Surprize, to the Hon. Jonathan Duncan, dated Bombay, November 12, 1799.

I have, agreeably to my instructions

tions from Capt. Alexander of his Majesty's ship *Braave*, to inform you of my arrival here, in charge of the French Republican corvette *La Surprize*, prize to the *Braave*.

This corvette was proceeding from the Isle of France towards Europe, with General De Brie, and two Mahomedan ambassadors, from the late Tippoo Sultaun to the French Republic, who sailed from Tranquebar some months ago, as you no doubt are well informed of.

There is great reason to believe that there was, and perhaps still may be, presents to a considerable amount, in charge of these ambassadors, for the French Directory.

Extract of a letter from an Officer stationed at Chittledroog.

"To give any description of this wonderful place, in which we are secluded from the rest of mankind, is next to impossible.

"Chittledroog is what may be called a fortified mountain, just such a stupendous fort as a great monarch would retire to. It divides into five tops or hills, all of which are eminently strong, both by nature and art. The chief strength of the place consists in the admirable disposition of the works, which are so formed as not only to be formidable in the extreme to assailants from below, but entirely to command each other, so that an enemy, by gaining one work, is as much as ever exposed to danger.

"There is not a rock or situation, capable of defence and offence, but what is occupied with means for both, and beside the works, one cannot move two yards without meeting with some curious choultry, swamey house, or pagoda, worthy of notice. There are five or six noble and never-failing tanks of water, and of excellent quality; and

all the water we drink below has its source in a spring from above.

"There is a passage between two of the hills, where the mountain divides into the five above mentioned, where there are some of the strongest apartments imaginable—some very long and narrow, some spacious, and others not two yards square; beside these there are two secluded rooms, where the walls are covered with mirrors and pictures, which put decency to defiance."

The following is an account of the spirited action fought by the *Eliza Anne*, and the American ship *Atlantic*, with the French privateer, off the coast of Arracan.

On the 11th instant, in lat. 20°. 15' north, long. 90°. 44' east, the American ship *Atlantic*, in company with the *Eliza Anne*, made a signal at 10 a. m. for a sail in the N. E. quarter, Captain Barker tacked ship, and stood to the westward. At four p. m. the strange sail hoisted English colours; upon which Captain Barker shewed his. About half an hour after, the sail, being within gun shot to the windward, hauled down the English ensign, and hoisted the French national flag, firing at the same time a broadside on the *Eliza Anne*, which was immediately returned from as many guns as could be manned.

Both ships now kept up a brisk fire; which continued for an hour and ten minutes, the *Atlantic* also firing upon the enemy with her six pounders, but not being near enough to reach the enemy with her cannonades, wore ship in order to get into closer action. The French ship perceiving this, sheered off for the night.

The *Eliza Anne* and the enemy continued near each other during the night, under top-sails, top-gallant sails, and stay sails, and at half.

[illegible]

Were it not for the gentleman cadets, and other passengers on board, it would have been impossible for Captain Barker to have fought the enemy, having lost 36 of his crew by the fever during the voyage.

There were only the captain and three officers, with 13 lascars, able to do duty, but with the assistance of the passengers, they beat off the enemy: nor must we omit to mention the assistance afforded by the two lady passengers, who entering into the spirit of the contest, kept handing up cartridges during the engagement, and in preparing a further supply during the night of the 11th instant.

Three of the gentlemen on board the *Eliza Anne* were slightly wounded, but fortunately none killed.

Captain Barker speaks in high terms of commendation of the gallant conduct of Captain Waters of the *Atlantic*, during the time the enemy was in fight, and conceives that he must have occasioned great slaughter on board the enemy, from the appearance to have been so well manned.

MADRAS, Dec. 25.

Richard Chaff, Esq. was on Friday last sworn in mayor of Modesto, and in his deplacencies, for the ensuing year. William Frazer was at the same time appointed sheriff.

BOMBAY, Nov 27, 1769.

On the 4th of January last, Capt. J. Malcolm departed from Bombay for his embassy to the Court of Persia, with his suite, on board the Hon. Company's frigate the *Bowbay*, Captain Selby, under a salute from the garrison, and the same compliment on their going to board and on Sunday last Capt. Malcolm and his suite arrived at this Presidency, under a salute of thirteen guns from the saluting battery.

JANUARY.

CALCUTTA, Jan. 1, 1800.

The following are some particulars relating to the manner in which Vizier Ally was delivered up to Col Collins:

On the night of the 1st December, Deneram, accompanied by another person, went to the place where Vizier Ally was, and told him that they were sent by the Rajah to inform him that Colonel Collins had marched away, declaring, on his leaving the place, that he would return with a very large force, and invade the territories of the Rajah, who being unacquainted with the mode in which the English make war, and as he, Vizier Ally, must, in the different conflicts which he had with them, be no stranger to it, he requested he would immediately come to him that he might consult with him how to act, as also to settle the amount of the jewels: he also noticed, that in the

army which the Rajah meant to fit out to oppose the English, he intended that Vizier Ally should be the principal command. Izod Ally observed, that it was a late hour for his master to go out on business, but that he would attend the Rajah the next day. Deneram in reply said, that he thought the Rajah acted very ridiculously in espousing the cause of such a person as Vizier Ally, whereby he might draw upon himself and country the vengeance of the English nation, and that after all his misdeeds had done for him, it was likely that he would experience an ungrateful return. Indeed he thought the present instance shewed it, in his having refused to comply with so reasonable a request as that now made by the Rajah. This remark seemed to make much impression on Vizier Ally, who immediately proposed to set out for the palace. On their way there, Vizier Ally noticed that they had not taken the direct road, but had gone a great way about. This he was told proceeded from the conference being to be held in a particular and private place. When they arrived there, it was proposed that every one should deliver up their arms at going in, Vizier Ally agreed, after some persuasion, to give up his sword, but insisted upon keeping his dagger, which he would part with but with his life. Answer was made, "What is the use of any arms now the enemy is gone?" meaning Colonel Collins. On their entrance into an apartment of the Howah Maht, the foster brother of the Rajah came in, in a kind of hurry, and told them that the Rajah would attend them immediately. Vizier Ally sat down between the two. they continued to keep him in conversation, until one of them took an opportunity of suddenly seizing hold of Vizier Ally's dag-

ger, and wresting it from him. He demanded the reason of such conduct, when he was told that it was intended to deliver him up to Colonel Collins, that every thing was settled, therefore all resistance would be in vain, but that his life would be granted him without his being subjected to iron. He was then conducted to a covered hut, and a remarkable strong Rajepoor, selected for the purpose, got in with him. They set out, accompanied by the Hickeem, and two companions of the Rajah's troops, to Colonel Collins's camp, where he was delivered up at one o'clock in the morning. When he came before Colonel Collins, he held up his hands, and declared that he was forced to do what he had acted at Benares, being entirely under the guidance and influence of Wm Ally at that time, and for a long period before.

Minutes of Council in the Military Department of 5th Dec. 1899.

The Governor General in Council having received dispatches from Lieut Colonel Collins, resident with Daxlet Row Scindeah, announcing his arrival at Pottaghur in charge of the person of Vizier Ally on the 23d instant, and representing, that Captain Brown and all the officers and privates composing the detachment under his command, as well as the officers and privates composing the resident's escort, had conducted themselves with an unremitting zeal and vigilance in the discharge of the important duty of securing the person of Vizier Ally, during a long march through a foreign territory: His Lordship in Council is pleased to signify his approbation of the meritorious conduct of the said officers and privates, and to direct that this minute be published in general orders to the army.

CHINA.

The young Emperor of China, Ca Hing, has put to death his prime minister, the great enemy of the English nation, who, it is said, had arrested a force of seventy millions of taels, exclusive of jewels to an immense amount, all of which the Emperor has seized upon.

Fort William, Jan 14, 1800.

The Right Hon. the Governor General in Council has been pleased to direct, that the following resolutions passed by the Honourable Court of Directors, at a court holden on the 24th Sept. 1799, be published.

Resolved unanimously, That the thanks of this Court be given to the Earl of Mornington, Governor General, for the able and successful measures which he adopted, whereby the complete annihilation of French influence at the Court of Hyderabad was happily accomplished; for the ability, firmness, and decision, manifested by his Lordship in his conduct towards the late Tippoo Sultan; and for the previous measures which he pursued for enabling the army to take the field, whereby it was put in a situation to act with vigour against the enemy, and to effect the speed, conquest of the capital of the Myfore dominions, the happy preface of a lasting peace in India, and the consequent increase of prosperity to the East India Company.

Resolved unanimously, That the thanks of this Court be given to the Right Hon. the Lord Clive, Governor of Madras, for his zealous co-operation with the Earl of Mornington, in the measures proposed by his Lordship, and particularly in the exertions which he made for equipping the Madras army, for those operations which

have redounded so much to its honour and to the interests of this Company.

Resolved unanimously, That the thanks of this Court be given to Jonathan D. D. Esq. Governor of Bombay, for the zeal and promptitude of his conduct in preparing the army of that Presidency for the field, whereby it was enabled to take a conspicuous share in the glorious achievements of the late campaign against the Myfore dominions.

Resolved unanimously, That the thanks of this Court be given to Lieut. General George Harris, Commander in Chief of the King's and Company's forces employed at the siege of Seringapatam, for the very able and judicious manner in which the attack of that fortress was planned.

Resolved unanimously, That the thanks of this Court be given to the Officers of the King's and Company's forces employed in the assault of Seringapatam on the 4th May 1799, for the rapidity, animation, and skill, which they manifested in the execution of this important service, and to the non-commissioned officers and privates, for the courage and intrepidity of their conduct upon that brilliant occasion.

Resolved unanimously, That the thanks of this Court be given to Lieut. General Stewart, for his able conduct in the command of the Bombay army previous to its junction, and to the Officers and men of that army who were engaged in the action of the 6th March with a chosen body of the troops of Tippoo Sultan, for their able and spirited conduct upon that occasion.

Resolved unanimously, That the thanks of this Court be given to Lieut. General Harris, and the Officers and men of the King's and Company's forces under his command,

stand, for the great and important services rendered to the East India Company throughout the whole of the late glorious campaign, which has terminated to the advantage of the Company and the Nation, by affording a well-grounded hope that the peace of India will be secured on a solid and lasting foundation.

A TRUE COPY,

(Signed) W. RAVINAY, &c

Published by order of the Right Hon. the Governor General in Council

G. H. BARLOW, *Chief Sec.*

Fort William, Jan 15 1800

By the Right Hon. the Governor General in Council,

A Proclamation for a General Thanksgiving for the late signal and important successes obtained by the naval and military forces of his Majesty and of his Allies, and for the ultimate and happy establishment of the tranquillity and security of the British possessions in India.

We the Governor General in Council, entertaining a deep and devout sense of the happy deliverance of his Majesty's dominions in Europe, as well as of the British possessions in India, from the destructive desigs of the enemy, and taking into our most serious consideration the indispensable duty which we owe to Almighty God for the signal interposition of his good providence, manifested by the blessing recently bestowed on the energy and valour of the naval and military forces of his Majesty and of his Allies in various parts of the globe, as well as by the prosperous issue of the late just and necessary war in Mysore, by the conclusion and settlement of peace in the peninsula of India, and by the ultimate establishment of the tranquillity and security of the British possessions subject to our superintendence, di-

rection, and control, have thought fit to issue thus our proclamation, hereby appointing and ordering, that a General Thanksgiving to Almighty God, for these his mercies, be observed on the sixth day of February next, throughout all such of the British possessions in India as these our orders shall have reached previous to the said day; and in such of the British possessions as these our orders may not have reached previous to the sixth day of February next, on such day as shall be appointed for the due observance of the said Thanksgiving, by the Governor in Council, or by the principal magistrate, or civil officer, or at military stations by the commanding officer respectively exercising chief authority therein: And we do hereby order and direct the several and respective Governments and Presidencies in India, and all the officers and servants civil and military in the service of his Majesty and of the East India Company, and all British subjects residing or being within the territories and dominions subject to our general powers of superintendence, direction and control, to observe the said Thanksgiving, in the most public, solemn, and religious manner.

Published by order of the Right Hon. the Governor General in Council.

G. H. BARLOW, *Chief Sec.*

About the middle of August last very blowing weather was experienced in the China Seas, in which a Portuguese ship from Goa, bound to Macao, with Senhor Jore Jerquin de Souza, governor of Timor, his wife and family on board, on his way to his government, in endeavouring to run for Lark's Bay for shelter, was unfortunately wrecked; the ship went entirely to pieces;

the whole of the cargo was totally lost, and of the crew and passengers, amounting in all to near 100 persons, about 75 perished, among whom was the governor's eldest son. The governor himself was with much difficulty saved, but so perished to leave Missoff, the son of the chief, and did proceed to Timor at the house of Antioch.

Nov. 25.—By letters from the port we have the unpleasant information of the total loss of the *East Indiaman*, Captain Hodges, bound for Calcutta. The *East Indiaman* sailed from this port on the 9th of the month with a cargo of rice for Madras, and soon after leaving the pilot, encountered a dreadful gale of wind, during which she was driven on shore.

Dec. 30.—A person named Sulthan Shah, one of the wandering fakirs, gave himself out to be Golaum Kaadun, and, to verify his assertion, circulated a report, that when Golaum Kaadun was ordered to be executed, some of his partizans put another person in the wooden cage in which he was confined, that this person suffered death, and that he (the real Golaum Kaadun) made his escape—that he remained many years at Mecca, in religious worship, and that he is now returned, by the orders of the great prophet, in order to recover Hindustan from the Mahrattas, and establish the Musulman religion. This story, like all other absurdities, easily gained implicit credit with the common people—a multitude of them flocked to him, he placed himself at their head, and invaded Sarungpour, a purgunnah above Delhi—the son of Madhu Row Palkea, a Mahratta chief named Ramechunder Palkea, opposed his progress, but the impostor easily gained a victory over the timid Mahrattas, and subjugated the whole

province, in which there are several forts, but they made no resistance, he found some pieces of artillery in them, which he added to his forces. On the intelligence of this event, General Perron detached three battalions under the command of Capt. L. F. Smith; they were joined on the road by some troops of the Begum of Sombre. The impostor Sulthan Shah, instead of being intimidated on hearing of the approach of the troops destined against him, marched forward himself to meet them, and told his army that they would only have half an hour's work in cutting up the battalions, that he would then march on, and place the Aumils and Killers which he had with him, and which he had already nominated for Delhi, Agra, &c. On the 23d of December 1799, the troops which were detached against him came near Daylun, a village in the purgunnah of Sarungpour, near the small river called the Culllee Nuddee: the three battalions of General Perron crossed over, but the Begum with her forces remained on the other side for more security. In the evening, the impostor Sulthan Shah's army appeared, and encamped on the same side of the river, and within long cannon shot of General Perron's battalions. The impostor's force, by the most moderate account, was above twenty thousand foot, composed of Rohillas and Seiks, and four hundred horse, chiefly Seiks, and some small pieces of cannon.—Early on the morning of the 23d of December, Capt. L. F. Smith began the attack with the three battalions, and advanced on near enough to make use of the grape, the Rohillas after a short resistance fled with precipitation, and left about four or five hundred killed and wounded on the field of battle. The battalions of General

Petion chased them for five cofs. The Begum of Somrie remained during the action acrofs the river, which she kept as a kind of a wet ditch between her and the enemy: the only affiftance fhe gave, was by moving a little lower down, and cannonading from above a mile diftance. It is not known where the impoffor has fled to, but it is imagined he has taken refuge in the country of the Seiks.

[The following correpondence, with copies of which we have been favoured from India, fets the difinterreffed and difmiffive conduct of the noble Governor General in a ftriking point of view, while it ferves to fhew the very exalted effeem in which he is held by the army there.]

*To the Right Hon. Earl of MORN-
INGTON, K P &c.*

Madras, Nov 12, 1799

MY LORD,

The army which, by your Lordship's directions, proceeded to the capital of the late Tippoo Sultaun, and achieved the conquest of Mysore, resolved, upon the plains of Seringapatam, to request your Lordship's acceptance of a star and badge of the Order of St. Patrick, made from the jewels of the Sultaun, as a mark of their high refpect.

In the name, and by the desire of that army, I have now the honour to present your Lordship with the star and badge.

In performing this pleasing duty, I am proud to feel and to acknowledge that the fplendid fuccefs of the late campaign muft, under Divine Providence, be in juftice referred to the inftitutive wifdom and characteristic energy of your Lordship's Councils. Thofe Councils have formed a memorable era in the History of India. From their effects, the Company has gained a

new fource of increafing proffperity; and, in their operation, the widefpread interefts of the British Empire in the East being confolidated, and built on a firm and durable bafis, have attained an eminence of elevation and fecurity hitherto unknown.

The glory of having been made by your Lordship inftrumental to the acquirement of fome of thofe inestimable advantages, excites in my mind feelings of fatisfaction and gratitude, which no language can adequately convey.

A copy of the letter to me from Major-General Floyd, Prefident of the Prize Committee, I have the honour to enclofe.

I remain, with the higheft
refpect, &c.

(Signed) GEO. HARRIS

To Lieut. Gen. HARRIS, Commander in Chief.

SIR,

The army that, under your command, achieved the conquest of the empire of the late Tippoo Sultaun, in the fpring of this year, being anxious to offer the Earl of Mornington, K P. Governor General, whose wifdom prepared and directed that event, fome marks of its high efteem, has caufed a star and badge of the Order of St. Patrick to be prepared, in which as many of the jewels as could be found fuitable, were taken from the treafury of Tippoo.

I have now the pleafure of fending you the fame in a gold box and wooden cafe.

I have the honour to request you will be pleafed to prefent the star and badge to the Earl of Mornington, in the name of the army, as a mark of its refpect.

I have the honour to be, &c.

(Signed) J. FLOYD.

Choultry Place, Nov 9, 1799.

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To

To his Excellency *Lieut.-General*

HARRIS

Fort William, Jan. 7, 1800

SIR,

ANY MARK of the respect of that gallant army which achieved the conquest of Mysore, must ever be esteemed by me as a distinguished honour.

The resolution now communicated to me by your Excellency, having been adopted by the army in the hour of victory, and on the field of conquest, affords a most satisfactory testimony of their intention to associate my name with the memory of their unexampled triumph.

Under this impression, the sentiments of public zeal, and the just sense of honourable ambition, concur to render me sincerely desirous of accepting the gift of the army, and of wearing it as an emblem of their glory, and of their good will towards me.

I am satisfied that it never was in the contemplation of the Legislature of Great Britain to prohibit the acceptance of such honorary marks of distinction, but an attentive examination of the laws relating to the government of the British possessions in India, will convince your Excellency, that I could not accept the gift which you present to me in the name of the army, without violating the letter of existing statutes, and without creating a precedent which might hereafter become the source of injury to the public service.

I must therefore request your Excellency, in assuring the army of my high estimation of the honour which they design to confer upon me, to signify that my acceptance of it is precluded by the positive letter of the law.

I return your Excellency my thanks for the obliging expressions of your letter. It is the unfeigned

wish of my heart that your Excellency may long enjoy the grateful recollection of your eminent public services, and that you, and the unrivaled army employed in the late glorious war, may receive from your King and Country every public demonstration of the same sentiments of admiration, gratitude, and affectionate respect, which your conduct has excited throughout the British Empire in India.

I have the honour to be, &c.

(Signed) MORNINGTON.

MADRAS, Jan 29, 1800.

GENERAL ORDERS BY THE COMMANDER IN CHIEF.

Head-Quarters of the Army,
Choultry Plain, Jan 26

Lieut. Gen. Harris cannot quit his command without renewing that public testimony of approbation to the officers and soldiers of the army, at the head of which he has so long been placed, which their valour, discipline, and exact subordination, have so often called forth during the period of his command, and it affords him particular pleasure, that, in quitting India, he delivers over his military trust to an officer whose long services, and intimate acquaintance with the army of this Establishment, enables him to estimate correctly the services and merits of individuals, and to point out to Government their claims to reward.

(Signed) P. A. AGNEW,
Adj. Gen. of the Army.

GEN. ORDERS BY GOVERNMENT.

For St George, Jan 27.

In consequence of the departure of the Commander in Chief, Lieut. Gen. Harris, the chief command of the army under the Presidency devolves on Maj. Gen. Bathwaite, in all the branches of the military service, and from the entire satisfaction

faction which he has afforded during the several periods of his holding the chief command of this army, the Right Hon. the Governor in Council has perfect reliance on that officer's zeal for the same able discharge of the high and important duties now entrusted to him, by which his conduct has universally been distinguished. — By order of the Right Hon. the Governor in Council.

(Signed) J. WILKES
(True copies) P. A. AGNEW.

The Commander in Chief embarked early on Sunday morning, under the honours and salutes due to his rank. His Majesty's 1st regiment, the Hon. Company's European regiment, and the Madras militia, formed a square, through which his Excellency passed to the place of embarkation.

BOMBAY, Jan. 1, 1800.

On Col. Dow's obtaining leave to return to Europe, Government published the following order — "Resolved, that Col. Dow's application to proceed to Europe on furlough, for the recovery of his health, be complied with — The Board very readily subscribe to the merited commendation bestowed by the Commander in Chief on this officer's long, faithful, and zealous services, which have frequently called forth the approbation of Government, and will not fail to be suitably noticed by the Court of Directors."

Jan. 14. — On Saturday last, a great concourse of gentlemen, and some ladies, assembled at the riding-school, to enjoy an amusement of rather a novel nature in this settlement, the baiting a buffalo, horses, wild bears, and a leopard, which were provided for the purpose. The spectators were separated from the

performers on this occasion by a bamboo railing of considerable height; and the gallery, and every place from which the proposed exhibition could be seen, was crowded. The first thing to which the leopard was introduced, was an artificial human figure, which the animal attacked and tore with great ferocity, thereby giving his spectators a very tolerable idea of what they were to expect, were but the barriers that protected them either removed or overcome. A wild hog was next ushered in; but the leopard, with a true Moslemian aversion for swine's flesh, rather avoided this animal, which also upon its part shewed no disposition to hostilities. Every possible expedient was then used by the gentlemen in the exterior of the railing to provoke the leopard to battle. He was teased with squibs and crackers, and pelted with every kind of annoyance, until, at length, irritated to the highest pitch of exasperation against his tormentors, he made a spring, with which, to the terror and astonishment of all present, he reached the top of the lofty railing which divided the house, and would, in another second, have been down among the thickest of the crowd, had not the master of the school, who fortunately had a loaded gun by him, at the critical instant fired and shot the animal, who received the ball between the breast and shoulder, and immediately fell over into his enclosures. The consternation which prevailed among the ladies and gentlemen present on this alarming occasion, can be better imagined than described, each person being willing to waive all ceremony in order to establish his own right of precedence. The gallery stairs being rather narrower than suited the desires of the company, many betook themselves to the windows, through

which they made a very rapid progress.

FEBRUARY.

CALCUTTA, Feb. 1, 1800.

On Sunday morning last, two lascars were brought to town from the *Supremacy* *Revolter*, charged with having attempted to set that ship on fire in Sagor Roads. We understand that one of them was caught in the very act of putting a firebrand into a tub of combustibles prepared for that purpose, and, upon being immediately tied up and punished, he acknowledged that he had been instigated to it by the head tindal of the ship, who had first given him liquor to intoxicate him, and afterwards provided him with the fire, &c.

MADRAS VOLUNTARY CONTRIBUTION

The committee for raising and remitting the loans subscribed to the voluntary contribution for the support of the war, have the pleasure of communicating to the subscribers the following copy of a letter forwarded by Major-General Nixon, from the Lords Commissioners of his Majesty's Treasury, in consequence of the receipt of the first remittance on the above account from the latter presidency.

Treasury Chamber, May 10, 1799
SIR,

"I have it in command from the Lords Commissioners of his Majesty's Treasury to acknowledge the receipt of the bills from Madras which you left here, to the amount of sixty-seven thousand seven hundred and fifty-two pounds thirteen shillings and eleven pence, with the resolutions of the inhabitants, subscribers to the voluntary contribution at Madras for the support of

the war. My Lords direct me at the same time to return you their thanks for your attention to the business, and to request you will convey, through the committee at Madras for the conducting the subscription, the strong sense their Lordships have of the zeal, liberality, and public spirit of the gentlemen who, at so great a distance from their country, have thus stood forward in support of it."

I am, Sir,

Your most humble servant,
(Signed) GEORGE ROSE.

Major-General Nixon, &c.

Feb. 3.—We understand that the Bombay Turf Club, having taken into consideration the very high prices demanded for horses imported from the Persian Gulph, have come to the laudable and public-spirited resolution of encouraging, by all the means in their power, the breeding of horses in Bombay and its dependencies, and, as a preliminary essay towards the attainment of their object, propose to give one hundred gold mohurs, to be added to a sweepstakes, to be run for by two, three, and four-year-old colts and fillies, in December 1805.

The colts and fillies entitled to run must be foaled in Bombay or its dependencies, by mares which shall have been in possession of gentlemen at least twelve months.

Public Department, Jan. 7.

The period originally fixed for the charge of one rupee postage on all letters and packages imported from Europe, having expired on the 1st of the current month. Notice is hereby given, that letters and packages imported from Europe will in future pay postage agreeably to the following rates:

Letters

Letters not exceeding the weight of				
2 rupees to pay - 2 annas.				
From 2	to 4	-	4	
1	to 6	-	6	
6	to 8	-	8	
8	to 10	-	10	
10	to 12	-	12	
12	to 14	-	14	
14	to 16	-	16	
and so on progressively				

Loss of his Majesty's ship Sceptre.

We are sorry to be under the necessity of confirming, on unquestionable authority, the melancholy intelligence of the loss of his Majesty's ship *Sceptre*, in a storm at the Cape, on the 5th of November. The officer who carried up the packet of the Danish ship *Louisa Augusta*, saw the *Sceptre* dashed to pieces on a reef of rocks in the harbour; and the current report was, that only from sixty to seventy men, including an officer, had been saved. A Danish ship of the line, the *Oldenburg*, was also lost, but she fortunately grounded on a sand-bank in such a manner that all the officers and men were enabled to reach the shore in safety. Several other vessels met with a similar fate, among them, the Hamburgh ship *Christiana*, from this port, but we have the satisfaction to hear that there was not any Indiaman of the number.

Fort William, Feb 13

On Thursday last, the 6th of February, being the day appointed by the proclamation of the Right Hon. the Governor General in Council, to be observed as a day of General Thanksgiving to Almighty God, for the late signal and important successes obtained by the naval and military forces of his Majesty and of his Allies, and for the ultimate and happy establishment of the tranquillity and security of the British possessions in India; the Right Hon.

the Governor General, accompanied by the Chief Justice, the Commander in Chief, the members of Council, and the Judges of the Supreme Court of Judicature, and by the public officers civil and military, proceeded to the New Church, to return thanks to God for their great mercies and blessing.

His Lordship proceeded on foot from the Government House to the church, at about half an hour past six o'clock in the morning, through Council-house-street, which was lined by the body guard, the native troops in garrison at Fort William, and the Calcutta native militia, and the avenues into the streets through which his Lordship passed were guarded by parties detached from the above-mentioned corps.

The Right Hon. the Governor General was preceded by all the public officers civil and military, and at the entrance of the church was met by the chaplains attached to the Presidency.

The prayers, which were selected for the occasion, were read by the Rev. David Brown the senior chaplain, and the sermon was preached by the Rev. Claudius Buchanan. The Te Deum, and appropriate antiphons, were sung.

Divine service being ended, the Right Hon. the Governor General, the Chief Justice, the Commander in Chief, the members of the Council, and the Judges of the Supreme Court of Judicature, returned in their carriages.

Three royal salutes were fired from the ramparts of Fort William. The first, on the Governor General's setting out from the Government House, the second, during the celebration of the Te Deum, and the third, on his Lordship's return. The guns from the ramparts to Fort William were answered by several ships in the port.

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A great

A great concourse of the native inhabitants of Calcutta were assembled in the streets, during the progress of the Right Hon. the Governor General from the Government House, and on his return.

At three o'clock, in the evening, another fire was kindled in Fort William for the European troops in garrison.

The European and native troops again fired three volleys from the rampart of Fort William at sun-set.

At the same hour, the Calcutta European militia, cavalry and infantry, paraded on their usual ground of exercise, and the last-mentioned corps fired three volleys.

It is to be observed, in this occasion, all the persons (amounting to upwards of thirty members) confined for debt in the prison of the Court of Requests, are liberated in the name of the Hon. Company, the respective forms for which they were introduced having been discharged by order of the Governor General in Council. Orders were also issued by his Lordship in Council, for the discharge of the debts of several persons confined in the Calcutta goal.

MINUTES OF COUNCIL, Feb. 11.

Ordered, That the thanks of the Right Hon. the Governor General in Council, be given to the Rev. Claudius Buchanan, for the excellent sermon by him preached before his Lordship, at the New Church of Calcutta, on the Sunday of February, the day of General Thanksgiving appointed by the Governor General in Council, and that Mr. Buchanan be desired to present the said sermo.

Ordered, That the Chief Secretary do communicate the said order to Mr. Buchanan.

By order of the Right Hon. the Governor General in Council.

G. H. BARLOW, *Chief Sec.*

A dreadful fire happened on Wednesday evening last, at Colootollah, which consumed an immense number of huts, caused great confusion, and destroyed much property.

On the 22d inst. a baker's shop in the Bazar at Barrackpore took fire, and the wind being strong, the flames spread with great rapidity, so that the greatest part of the Bazar was reduced to ashes, before a stop could be put to the conflagration. We are concerned to add, that some lives were lost, of whom we have not been able to ascertain the precise number or description.

Cal. Jan. 17.—We have no intelligence here at present worth writing. the only event of any consequence is the release of the family of the late Ismael Beg from confinement: they were doomed by Asiatic policy to sigh their lives away, like their father, in a prison, but General Perron, by unremitting intercession, has at last obtained the Prince's leave, not only to give them their liberty, but a decent allowance to maintain them for the 11 lives. This is an act of exulting humanity, which redounds very much to the uniform goodness of General Perron's character.

Allahabad, Feb. 7.—The Public Thanksgiving of yesterday was observed here with the most marked attention. The King's regiment attended divine service and a sermon, on its own parade, early in the morning, and then chaplain officiated at services to the garrison at Col. Kyd's quarters. The grand object of the festival was duly published, in the words of the proclamation, both in garrison and regimental orders.

MADRAS,

MADRAS, *Feb. 1, 1800.*

G. O. BY GOVERNMENT.

Fort St. George, Jan. 27.

In consequence of the departure of the Commander in Chief, Lieutenant General Harris, the chief command of the army under this Presidency devolves on Major-General Biathwaite, to whom the usual returns are accordingly to be made.

From the long experience of Major General Biathwaite in all the branches of the military service, and from the entire satisfaction which he has afforded during the several periods of his holding the chief command of this army, the Right Hon. the Governor in Council has perfect reliance on that officer's zeal for the same able discharge of the high and important duties now entrusted to him, by which his conduct has invariably been distinguished.

By order of the Right Hon. the Governor in Council.

(Signed) J. WEBBER, Sec.

Tincomallée, Jan. 11.—His Majesty's ship *Braave*, Capt. Alexander, arrived here on the 5th inst. from the Red Sea, having on board General Du Buc, ambassador from the late Tippoo Sultan to the Director of France, and his suite, and this day the *Braave* proceeded for Columbo with Mr. Du Buc, and the Frenchmen who were taken with him. Captain Adam, late of the *Albatross* sloop of war, was a passenger in the *Braave*, and sails to-morrow in a brig commanded by Captain Tapson, in order to join his Majesty's ship *La Sybille*, to which he has been appointed by Admiral Rainier.

Extract of a letter, dated his Majesty's ship Orpheus, at sea, 7th October 1799.

We are on the point of witnessing the commencement of the Hongey; a word which I must explain, by informing you, that it means an annual visit to the different ports of the Moluccas, where the British flag is now flying, and in like manner as heretofore practised by the Dutch. The visit is made by the Commercial Resident, attended by a party of troops, drums, colours, and pious, to the number of about seventy vessels, armed with two, three, and four-pounder guns. In this visitation causes are heard, orders are issued, and justice is administered.

BOMBAY, *Feb. 1, 1800.*

Extract from the Minutes of Council, 5th January 1800.

Resolved, that Major-General Brownrigg's request to proceed to Europe on furlough be complied with, and that he be recommended for his long services to the favourable notice of the Court of Directors.

Quarter Sessions, Jan. 11.—On the 7th instant, the Quarterly Sessions of Oyer and Terminer and gaol delivery, commenced at the Town Hall before Sir William Syer, Knight, and his associates, James Loughnan, Esq. Mayor, Charles Colin Elphinstone and Simon Halliday, Esqrs. sitting Aldermen. One of the cases for presentment, related to a late unhappy duel, wherein a gentleman lost his life. On the trial which ensued, we understand that the case, as it was made out in evidence, gave occasion to a most pathetic peroration, manifestly proceeding from the heart of the learned

ed and worthy judge, wherein his love of justice and his sensibility were exhibited in a style of animation which electrified a crowd of hearers, who quitted the court deeply impressed with the manner and subject of his address to the gentleman, in particular, who obstructed as second to the deceased on the melancholy occasion. A written contempt of life is certainly in no degree allied to any military virtue, and although its value may be overrated, in the estimation of society, by an excessive solicitude for its preservation, under such circumstances as gave rise to the trial in question, yet a temperate demeanour, when it is hazarded, is so far from being incompatible with the character of a good soldier, that it is with great justice reckoned one of the fairest attributes of the experienced veteran, and the surest foundation of military fame, whereon the candidates in that laborious career can rest their future pretensions. The jury on the above occasion returned a verdict of *manslaughter* against the gentleman who used the fatal shot in his own defence, in a situation of danger to both parties, which appeared, without any intention on his part, to have been needlessly aggravated.

It is with much pleasure that we announce the recapture of the ship *Thomas*, (formerly taken by the *Malabar*), by his Majesty's ship *Sybilie*. This will prove a most valuable prize to the captors, as the cargo alone of the *Thomas* was estimated at seven lacks of rupees.

We have also to add the recapture of the ship *Penang*, by his Majesty's ship *La Virginie*. This vessel had been taken by the *Cosiance* privateer, of 24 guns. In consequence of the information received

from the prisoners, *La Virginie* pursued and came up with her near Palo Bouton, but, it falling calm, she effected her escape by the help of her sweeps.

Major Jacob Thompson having obtained permission to proceed to Europe by the ships under dispatch, Government were pleased to express their approbation of the meritorious services of that deserving officer in the following order.

BY GOVERNMENT.

Extract from the Minutes of Council, 16th January 1800.

The application from Major Thompson of the corps of artillery, for permission to proceed to Europe with leave, and with the choice of eventually retiring from the service, on the pay of his rank, being supported by the prescribed medical and pay certificates, is acquiesced in by the Governor in Council.

The Governor in Council on this occasion very willingly subscribes to the Commander in Chief's testimony on the professional merits of this officer, whose skill and judgement have been in various circumstances conspicuously and advantageously displayed during the long period he had been employed in the Company's service, and the Board will not fail to notice him to the Court of Directors, as a person deservedly entitled to the public commendations of his superiors.

EMBASSY TO POONAH.

On Wednesday evening last, Jonathan Henry Lovett, Esq., and Capt. Edward Mooi, accompanied by Col. and Capt. Lord George Beresford, returned from their late mission to Poonah. On their way from hence towards that capital, they

they halted at Panwell all the night of the 24th ultimo and the following day. On the 26th they proceeded through a beautiful country of hill and dale to Chock, where they beheld six miserable victims to the law hanging on a tree. They had belonged to a gang of twenty, one of the numerous bands which have, it seems, for some time past, infested the low country, whose suspicious appearance attracted the notice of the inhabitants of a village through which they had occasion to pass, and the natives there gave to certain interrogatories being evasive and contradictory, they were carried before the Amildar, to whom they confessed that their object was to way-lay some treasure which was expected from Panwell to Poonah, and on this confession their heads were cut off, and the bodies tied up by the heels.

On the 27th the Commissioners proceeded to Campoily, a village at the foot of the gauts, where they encamped by the side of a stone tank, of curious structure, and a work of great labour, as well to expence, it, with a pagoda in the neighbourhood, is said to have cost Nana Furnavese upwards of a lack of rupees.

On the 28th they ascended a gaut, in the prosecution of their journey, of about 4 miles ascendency, and so steep that they were obliged to walk, they halted for the night within about half a mile of the summit, and next day proceeded to Karlee, from whence they were induced to deviate a few miles to visit the caves in that neighbourhood, of which the description we have been favoured with on the present occasion states, generally, that the principal chamber is in good preservation, arched, and supported by two rows of octagonal pillars, bearing on a very rich capital two elephants,

each surmounted by two well-cut male and female figures, which are said to outvie those of the elephants, in style, grandeur, and execution, beyond all comparison.

On the 29th they advanced to Tilligaum, where they halted for the night, and next day pursued their journey to Poonah. They set out at four in the morning, and at seven met Col. Palmer, at a village called Oondh, about four coss from Poonah, which place they reached about 9 in the same morning. After some days preparation for the ceremonial, (the particulars of which we are not informed of,) the letter from his Majesty to the Peshwa was delivered.

On the 10th January the travellers went to visit an extraordinary personage at Chichura, to whom divine homage is paid, on the ground of a tradition, that the god Gunputtee was incarnated in the person of one of his ancestors of the sixth generation back from the present living object of the idolatry of a credulous people, who is now said to be about the age of fifty. He has one son, who is to be the last of the godhead. He is the oracle of all that part of the country, and is so far a blessing to the village in which he resides, that it enjoys peace and plenty, from the veneration in which he is held, while every other part has been at times desolated by the ravages of contending armies. He deals out peace or war among nations at pleasure, and we sincerely wish that his prophetic spirit may acquire additional celebrity by the fulfilment of his prediction, that the present war in Europe will be terminated in six months. He prepares a feast for the Brahmans on a certain day of the year, and the manner in which it is ordered is deemed a prognostic favourable or otherwise to the production

duction of the harvest. It seems if he has prepared rice for a few Brahmans, not exceeding one thousand in number, and three or four thousand additional guests should intrude, the quantity will nevertheless be sufficient, and a surplus left; this is deemed an infallible sign of a plentiful year. If, on the other hand, only 500 should come, and a provision has been made for 1000, it will not be sufficient, and this is reckoned a certain sign of future as well as present scarcity. If the god eats his own dinner on this occasion at his ease, and contentedly, a continuation of peace is the consequence; but, if he intends to punish mankind with the horrors of war, he brandishes a spear, to the terror and imminent danger of his guests, who remove at such times out of his reach. He enjoys a revenue of about forty thousand rupees annually, of which about five or six thousand rupees is made up by occasional offerings at his shrine. A large income descended to him from his ancestors, which was granted to one of them in commemoration of a miracle which he performed at a former period, when the Nizam's army marched to Poonah. We are told that on this occasion a large detachment went to Chichura, in the hope of plunder to a great amount, which it was thought the accumulated mass of wealth there would afford. They attempted an entrance, however, by stratagem, and affected to carry offerings to the god in the usual style of his devotees; but, to their astonishment, the contents of the trays, which consisted of butcher's meat (the grossest insult they could offer), when they set out, on being uncovered in the presence of the deity, were found converted into a beautiful assortment of the finest flowers, on which they were so petrified that they desisted from their sacrilegious

purpose. In addition to the jaghire allowed to the family on the above occasion, the present Peshwa, it is said, has allowed that pagoda a revenue of 12,000 rupees annually.

The foregoing, we are aware, is a very imperfect account of a very curious part of the Hindû mythology, of which the public may no doubt expect a more full and accurate description, from the pen of a very close inquirer, who was of the late party at Chichura.

MARCH.

Address of the British Inhabitants of Ceylon,

To the Rt Hon the Earl of MORNINGTON, K B Governor-General, &c

MY LORD,

We, the British Inhabitants of Colombo, beg leave to congratulate your Lordship on your return to the ordinary seat of your Government, and on the happy termination of that series of rapid and brilliant successes, which, directed by the wise and vigorous counsels of your Lordship, has consolidated and confirmed the British power in India.

Particularly dependent, as this island is, on the general strength and stability of the empire; we could not but feel a peculiar interest in the great cause of our country, nor could we view, without singular satisfaction, the result of that masterly conduct, which secured to us the effective alliance of the Nizam, and brought into the field, with unparalleled celerity, an army, whose heroic achievements have surpassed our most sanguine expectations.

We are happy in reflecting, that the unexampled prosperity, with which Divine Providence has blessed the

the exertions of that army, has been no less the reward of justice, moderation, and forbearance, than of wisdom, promptitude, and valour, and that those resources which your Lordship called forth, with so much energy, were employed in the just punishment of unequivocal though insidious aggression.

We sincerely trust, that your Lordship will enjoy, during the remainder of your government, a continuance of that prosperous and splendid career which has hitherto distinguished it, that you will receive, in the veneration and attachment of those you govern, the just return for the many advantages you have procured for them, and that your example will prove to all those who may be intrusted with the interests of Britain in India, an efficacious lesson of rectitude, vigilance, and ability.

We have the honour to be,

With most profound respect,

My Lord,

Your Lordship's humble and obedient Servants.

(Signed)

By the BRITISH INHABITANTS.
Columbo, 4th Nov. 1799

To the British Inhabitants of Columbo

GENTLEMEN,

Your congratulations on my return to this Presidency, and your public declarations of personal good will towards me, demand my most cordial acknowledgments.

Your zealous participation in the glorious triumph of the allied arms in Mysore, confirms my confidence in your loyalty and public spirit, and affords the most satisfactory assurance of your active assistance in any service which may require your co-operation in the common cause of the British empire, and of the civilized world.

The progress of our victories in

various parts of the globe, combined with the moderation and equity of our views, have opened the happy prospect of general and permanent security against the destructive projects of the enemy.

Whatever may be the issue of the present crisis, I am satisfied that his Majesty may rely with safety on the ability, firmness, and integrity of those hands in which he has placed the immediate government of the valuable island of Ceylon.

It will be a constant object of my care to co-operate in every measure which can tend to secure your tranquillity, or to promote your interests.

I have the honour to be

Gentlemen,

Your faithful Servant,

(Signed) MORNINGTON.

Fort William, January 17th, 1800.

We have received intelligence, that a very extraordinary and unexpected emigration has taken place of the people of Arracan into the Chittagong district. We are assured by private letters, that no less than 35,000 persons have fled from the ancient government of Buimah, and sought protection in Chittagong. The cause of this alarming emigration is attributed solely to the views of Burmah, which is making the most vigorous preparations for carrying on a war against the Siamese. The heavy levies and excessive contributions which the government of Buimah imposed on the inhabitants, led to the above remarkable movement. Penalties and severe corporeal punishment drove the miserable multitude from their abodes, and they have supplicated our Resident at Chittagong to interfere with Government in their behalf. The Siamese are also making every endeavour

deavour to meet the army of Burmah; their troops, though not more numerous than those of Burmah, have little inclination to engage in a contest which is likely to injure the commerce of Siam. Various conjectures have arisen on the very extraordinary conduct of the government of Burmah. The emigrants are in a deplorable state of distress, but as negotiations are on foot to reconcile the exiles, it is expected matters will be so regulated as to induce them to return to their own country.

A small privateer named the *Harris*, carrying six guns and thirty men, was for some time fitted out by Capt. King, at the Cape of Good Hope, for the purpose of intercepting a Spanish ship which was stated to be bound to Mozambique with 50,000 dollars for the purchase of slaves. The *Harris* missed the object of her search, but fell in with a Danish ship, the *Helger Dagle*, from Batavia for Norway, with coffee, sugar, indigo, arrack, and spice, belonging to the Dutch East-India Company, to the value of 120,000*l.* besides 150 pieces of large cannon from the arsenal of Batavia, said to be for Amsterdam. The ship, being Danish property, has been liberated, but the cargo will doubtless be condemned.

The Mandarin's palace at Macao, in China, has been lately very finely ornamented with painting, gilding, and silken streamers, for the purpose of receiving a grand visit from the Viceroy of Mee-you-mee-awng. A late letter from China says, "Several regiments of Chinese soldiers are constantly drawn up on the beach, with a train of artillery, expecting the Viceroy's arrival."

The policy of the Chinese government, which circumscribes, and jealously restricts as much as possible,

all communication with the interior, limits our expectations of novelty from that quarter within very narrow bounds; but, confined as our present communications are, the following anecdotes may be acceptable to a curious reader.

The new Emperor Ca Hing has commenced his reign with many acts of popularity. He has taken a more than usual active share in the different departments of government, and manifested a regard for justice, which by all accounts has given universal satisfaction. In this respect he has deviated from the established custom, which enjoins to the new emperor and his family a mourning, and a total abstinence from the exercise of his public functions for two years, and has only complied with the usage in this respect so far as to confine himself to Peking and its environs, and to forbid the exhibition of any plays or public entertainments excepting for religious purposes. He did not, it seems, succeed to his new dignity without some apprehensions from the intrigues of his predecessor's prime minister, whose intentions to usurp the throne he appears to have strongly suspected.

He had the address, however, to fill all the principal offices and posts, both at the capital and in the provinces, before he had manifested his sentiments. He then degraded and impudenced the object of his jealousy, and seized his wealth, which in bullion, and other property in land, and securities of different descriptions, is said to have amounted at the lowest computation, to eighty millions of taels, near twenty-seven millions of pounds sterling, besides four peculs (upwards of five hundred and thirty pounds weight) of pearls, among which there were said to be upwards of fifty of the largest in the world.

A sub-

A subject of his rank, possessed of such enormous resources, was certainly no mean rival to the heir apparent, in so venal a government as that of China is represented. Charges of mis-administration were exhibited against him, but they are said to have been comparatively trivial, and that the emperor deeming it incompatible with his dignity to avow his jealousy, resorted to these charges as a pretext for taking off a man whom he had predetermined to destroy. A silken cord was accordingly sent to the discarded minister as a polite intimation of an alternative whereby he had his choice of suicide or a public execution, he preferred the former, and hanged himself. A rebellion which has existed in some of the provinces for many years past was not entirely crushed, but was partly subdued, and on the whole much less alarming to government than it had been for some years before.

SHIPPING.

The *Cleopatra* Portuguese Indiaman, (lately arrived at Lisbon from Calcutta.) on her outward-bound voyage, on the 6th of December last, near the Riffes, fell in with a French privateer of 10 guns, by which she was most furiously attacked, and an engagement ensued, which lasted two hours and an half within musket-shot. The privateer twice attempted to board, but was prevented by the firmness of the Portuguese commander, whose well-directed fire had such a good effect that at last the Frenchman sheered off with all the sail he could crowd, and was soon out of sight of the *Cleopatra*. The damages sustained by this vessel, in her rigging, sails, yards, &c. several shots in her sides, two shots in the main-mast, two men killed and six wounded, are evident proofs of the brave resistance made.

The damage done to the privateer could not be ascertained, but when she sheered off, it was plainly seen she was in a shattered state, and that the men were incessantly working at both pumps. This brilliant action has been much applauded in India, a very valuable ship being preserved by it, the specie alone which she carried being valued at upwards of 100,000 l. besides the value of the ship and merchandise. The merchants of Calcutta, on her arrival, made a present of one thousand guineas to the commander and ship's company, and the underwriters of Lloyd's, with their usual liberality, subscribed for the same purpose.

Letters from Bombay, of the 20th of January, give the following particulars of the cruises of the *Sybele* and *For*, in the Indian Seas — After having convoyed a Squadron of China Ships, the frigates stood for Manilla. On the 12th of October they captured a large brig from that place, from which they received information, that the Spanish vessels there were in no condition to put to sea. Proceeding thither, they practised a device to induce the Spaniards to come on board. Having hoisted French colours, they equipped as many of the crews as could speak French, in the garb of that country, with the national cockade, &c. The trick succeeded, and numbers of Spaniards boarded them without suspicion, and communicated every information on the supposition that they belonged to Admiral Sercey's Squadron. Great was the surprise of the Dons, however, when the pretended Frenchmen discovered themselves. The Spaniards, after being regaled with wine, were permitted to return ashore. The frigates, finding nothing to be done at Manilla, bore away.

Till the 22d they experienced boisterous

boisterous weather, and one of the boats of the *Sybil*, in which were twelve men, parted, but there was reason to hope that she would make some land. On the 22d they arrived off Sumbongan, one of the Philippines, which, hoisting Spanish colours, they expected to take by surprise. The *Sybil* unfortunately got ashore about a mile from the fort, which began a brisk fire, which did no damage, and a breeze springing up, the *Sybil* got off. An attempt was made to land to the westward of the fort, where two batteries had opened on the frigates and their boats, but the shore being full of shoals, the boats returned to the ships. In this attempt the *Fox* had 4 men killed and 12 wounded, the *Sybil* 2 killed and 6 wounded, besides some damage in their rigging, &c.

Loss of the Trincomallée.

Having reasons to think that the proceedings of the Hon. Company's cruiser *Comet*, under my command, on the occasion of the encounters between his Majesty's sloop *Trincomallée* and the French privateer *Iphigene*, on the 10th and 12th October last, have not been fully explained in the different details which have been submitted to the public, you will oblige me by inserting the following recital of the circumstances compiled from my log-book.

On the 9th October I fell in with the *Trincomallée*, off Cape Muske, near the entrance of the gulph, and was informed by Captain Rowe, that he had come from Muscat, and was in quest of a French privateer which was cruising between the Qaoms and the Island of Kishme. I accordingly put myself under the orders of that officer, and pursued my course in company with the *Trincomallée*.

On the 10th, at night, we discovered two strange ships, one on each bow, which we soon observed were standing towards us. We were then near the Qaoms, and about eleven the *Trincomallée* hoisted her colours and fired a shot at the headmost stranger, which she immediately returned. The *Trincomallée*, after discharging several broadsides into her, tacked, and I by Captain Rowe's directions tacked also.—Captain Rowe soon after informed me, that it was his intention to keep the wind until day-light enabled him to form some judgment of the strength of the enemy, both ships having then joined.

At daylight, being still on a wind, we saw the two ships to leeward, also keeping their wind, one of which I knew to be the *Pearl*, and the other a ship of force, mounting as I judged twenty-four or twenty-five guns. Boats were at this time frequently pulling between the two ships, as both Captain Rowe and I supposed reinforcing the *Pearl* with men, to enable her to render more effectual assistance to the other. The superiority of the enemy was evidently great, and the *Trincomallée* being very thinly manned with Europeans, both her and the *Comet*, after a trial of the enemy's force, stood through the Lareek Channel, the *Trincomallée* leading, and the enemy standing the same way. The four ships thus nearly preserved their relative distance, firing occasionally as opportunity offered, until the afternoon of the 12th, when the enemy having gained considerably by the assistance of their sweeps and boats, Captain Rowe came to the resolution of making an exertion in concert with the *Comet* to clear the gulph of those ships, before they could have any accession to their force, by the capture of any of the Company's cruisers which they might

might fall in with, in the event of our parting with them.

Having received a supply of shot from Captain Rowe, I took my station aftern of the *Trincornallée*, and about four p m the *Iphigene* being the head-most of the enemy, the action with her commenced; about five, the *Pearl* came up to the support of her consort. The action was then maintained with spirit on both sides, till thirty minutes after six, when the firing ceased, as if by mutual consent. I took this opportunity to send my boatswain on board the *Trincornallée*, for medical assistance, being severely hurt at the helm by a gun over-heated by repeated firing being thrown out of its carriage.

About half past eight, the firing recommenced. At ten, our main halliards being cut, the sail came down upon deck, which deprived us for a time of the use of our four after guns, in the mean time the man at the helm being prevented from seeing our consort, the *Comet* fell on board her, by which accident we lost our jib boom. We were thus entangled three or four minutes, and much annoyed by a raking fire from the enemy, who were then close ahead. A short time after our clearing the *Trincornallée* and re-engaging the *Pearl*, I observed the *Iphigene* close on board the *Trincornallée*, firing smartly from her tops, and it afterwards appeared that she boarded the *Trincornallée* at that time.

About 11 p. m. both ships blew up. I immediately ceased firing, and hoisted out the boat to save as many of the people as I could; and succeeded in picking up four sepoys belonging to the *Trincornallée*, and a lascar belonging to the *Comet*, who had fallen overboard while we were entangled with the *Trincornallée*. I remained by the wrecks all the rest of the night, and part of

next morning, but had not the good fortune to save any more of the crews.

The *Pearl* made off in the night; but, since my arrival in Bombay, I find she had, after the firing between her and the *Comet* ceased, also picked up several of the sufferers.

Having dispatches on board for Bufforah, and viewing our crippled state in masts and rigging, besides the loss of our jib-boom, I entertained no idea of attempting a fruitless chase after the *Pearl*.

The boatswain was wounded, as before mentioned, and perished on board the *Trincornallée*. One sepoy and a lascar were also wounded, the former of whom died before morning, several others were slightly wounded.

Of the damage which the *Comet* sustained, the principal were, a dangerous wound with a bar shot in the fore-mast; main-boom, main-yard, and fore-top mast slightly wounded; all the star-board fore-shrouds, runner and pendant cut, star-board foremast main shroud and main runner cut; the running rigging also suffered considerably, and the sails, those which were bent as well as those in the nettings.

J. FORTESCUE.

Bombay, 13th February 1800

I had on board five Europeans including myself and an officer, fourteen sepoys, fifteen lascars; the *Comet* was armed with eight 12 pound carronades, and two 8 pounders.

[The above is the official account of this melancholy accident, but as the following letter was written by a prisoner on board the enemy's prize *Pearl*, who, from having observed the action in a different point of view, gives a more circumstantial detail, we think it may be satisfactory to our nautical readers to insert it.]

The following letter from Mr. John Cramlington, the first officer of the ship *Pearl*, in the country trade of the Hon. East-India Company,

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who was a prisoner on board the privateer at the time of the engagement, to his brother in Newcastle.

MILN, 29th October 1799

Shortly after my last, Capt. Spencer, of the *Perle*, proceeded to India to purchase a vessel or two more for the Gulph trade. Mr. Joseph Cambridge Fowler, the chief officer, was appointed to the command of the *Perle*, and I to succeed him in his former station. On the 1st of October we got clear of Bufforah river, bound for Bombay, and were proceeding very pleasantly on our voyage until the 7th, when, having got about two-thirds down the Gulph, at nine o'clock at night, we were suddenly surprised by the appearance of a ship close to us, she had been lying under an island called the Great Tomb, and had seen us before sun-set, though we had not perceived her. We hailed each other, and, to our sorrow, we found her to be French. An action commenced; but her fire was so much superior to ours, that she soon drove the lascars from their quarters, and the whole of them ran below. The privateer was at this time about pistol-shot from us, and preparing to board, and not an aimed soul to receive them except myself and five or six Arabs, who had never flinched.

Under such circumstances I was under the disagreeable necessity of striking to her, after throwing three packets of Government dispatches overboard. We had previously endeavoured to run, but unluckily our maintop-sail tye was shot away. Captain Fowler was shot through the body with an 8 pound shot the second broadside: we had likewise three lascars wounded, one of whom died shortly after. I had a grape shot through my trowers, which grazed the back part of my thigh, and a slight wound on my left by a

splinter from the same shot which killed the captain. We did not engage above a quarter of an hour. I was taken on board the privateer, she not nobody killed on board, and only some shot through her mill. She was named *La Iphigene*, Captain Maltois, from the Isle of France, mounting 18 guns, two of them 48 pound caronades, six long French 8-pounders, 10 ditto ditto 6-pounders, and 170 or 180 men. We had only 10 guns, and all of them small and of different sizes, none of them good except two 9-pounders, and 50 men, all natives but the captain and myself. They got in us a very valuable prize, as we had on board 110 packages of treasure, value upwards of three lacks of rupees, 40 heifes, 5000 slabs of copper, besides several bales, chests, &c.

The treasure was shifted on board the privateer the next day, and they were so elated with their success that they determined to return from their cruise immediately: but on the 10th, at night, we fell in with his Majesty's ship *Timonallée*, Capt. Rowe, mounting eighteen 24 pound caronades, but badly manned; she had been fitted out at Bombay, and had been cruising in the Gulph nine or ten months; her crew very sickly, had lost a number of them by death, and had no fresh supply. I have been told she had only 70 active men on board: a partial action took place the next day as they passed each other, and on the 12th, at three p. m. they came within gun-shot again, and kept firing at each other till after sun-set, but at too great a distance for much damage to be done: owing to calms and light airs they could not get near each other. A schooner, named the *Cornet*, was in company with the *Timonallée*, mounting eight small guns. The captain of the privateer wanted very

very much to cut her off, but through the bravery and good conduct of her captain all his schemes failed, and she served to engage the *Pearl*, for whom she was more than a match.

At half-past six o'clock the same evening, a fine breeze springing up, the privateer bore down towards her prize, the *Trincomallée* followed, and at ten *p. m.* (being moonlight) brought her to action, which continued with great fury for two hours within musket-shot, when, with one ship luffing up, and the other edging down, they fell alongside each other, and grappled muzzle and muzzle. In this situation they remained about half an hour, the slaughter very great on both sides. The French, being more numerous, were preparing to board, when, by some fatal accident, the *Trincomallée* blew up, and every soul on board perished, except one English seaman, named Thomas Dawson, and a lascar. The explosion was so great, and the ships so close, that the privateer's broadside was stove in.

I leave you to judge the dreadful situation I was in at this crisis, being below two decks in the square of the main hatchway, in the place appropriated for the wounded, which was full of poor souls of that description, in circumstances too shocking to be described. All at once the hatchway was filled up with wood, the lights were driven out, the water rushing in, and no visible passage to the deck. The ship appeared to be shaken to pieces, as the hold-beams had shrunk so considerably, that where there was room before to stand nearly upright, you could now only crawl on hands and knees, which I did towards the hole in the side where the water was coming in. Close to this, by the light of the moon, I found a

hole through both decks, which had been newly made, I suppose, by the falling of some of the *Trincomallée's* guns, or other wreck. Through this I got with difficulty upon deck, when I found the ship just disappearing forward, and hastened aft as fast as I could over the bodies of the killed, with which the deck was covered, to the taffarel, and jumped overboard.

I swam a little way from her, dreading the faction, and looked round for her, but she had totally disappeared. I afterwards caught hold of a piece of wood, to which I clung for about an hour and a half, at which time the boats of the *Pearl* came to pick us up, there being nearly thirty Frenchmen in the same predicament. They, however, were all taken up first, and when I solicited to be taken in, I had a blow made at my head with an oar, which luckily missed me. This treatment I met with from two different boats, and I began to think they were going to leave me to my fate, but the French officer in command of the *Pearl*, hearing there were some Englishmen upon the wreck, ordered the boats immediately to return, and take us up, viz. myself, and Thomas Dawson, then the only survivor of the *Trincomallée*.

There were killed and drowned on board *La Iphigène* 115 or 120 men. among whom were the captain, seven officers, surgeon, two young men volunteers from the Isle of France, the first boatswain, gunner, and carpenter. All the treasure went down in the privateer. Captain Rowe of the *Trincomallée* was killed before the ship blew up, as was also the first lieutenant, whose name was Williams. The *Comet*, immediately on the accident happening, made sail from the *Pearl*. I suppose she was afraid there might

receiving payment of their bill, on account of repairs, &c. amounting to between 15 and 16,000 rupees

The ship continued in the port of Calcutta in possession of her Danish captain and owners, for several weeks, and was offered for sale by the latter, Danish subjects, resident at Serampore. No event, connected with this case, occurred till the 28th of January last, when rumours of a war between Great Britain and Denmark being current in Calcutta, Gilmore and Co whose claim was still unpaid, sent a person on board to take possession of the Elizabeth on their behalf, and to hold the vessel, as answerable for the amount of their bill. Possession was accordingly taken of the ship on their part, and retained till the 1st of February, when she was boarded by an officer and party from his Majesty's frigate *Modeste*, captain the honourable G. Elliott, and taken as prize to his Majesty's ship, the person on board on behalf of Gilmore and Co. representing that he held possession of the ship on their behalf but as their right of possession was not admitted, he was sent on shore in the course of a few days, and the prize being now about to be sold for the benefit of the captors, the promovents brought the suit, for the recovery of the amount of their bill, for repairs and supplies, against the captor

Messrs Lewin and Fergusson for the promovents, contended, that their claim was founded on the most obvious and fairest principles of natural justice, and that it was laid down and clearly admitted by the maritime law, that the contract of a master of a ship in any foreign port, for monies, repairs, or stores, for the necessary service of his ship, did by such

contract imply an hypothecation of his ship consequently the vessel in this case, a Danish vessel, in a British port, was not only hypothecated to the promovents, but that having been in the actual possession of the ship, they held a fair and indisputable lien in the property. Much ingenious argument and some cases were adduced to establish the validity of lien, and the objection that the council for the defendant were expected to set up, namely, that the promovents here, by paiting with their possession, paited with their lien, was anticipated, and a case, from Cooke's bankrupt reports, cited, which shewed that a lien held by a broker on a policy of insurance, and with which he had voluntarily paited for some time, had been decided to have reverted, on his acquiring a repossession of the policy. It was argued in like manner, that the lien of the promovents in his ship, had revived on their taking repossession, on the 28th of February, as stated in the libel.

The advocate-general and Mr. Strettell for the defendant, rested the defence on four grounds viz

1.—That the master of the ship in this case had no authority to hypothecate the ship

2.—Admitting that the master had such authority he had not exercised it.

3.—That had the ship been regularly hypothecated to the promovents, their hypothique, or even a lien, was superceded by capture, *de jure belli*.

4.—That as this was a prize case, it was not within the jurisdiction of the court.

The advocate-general, with respect to the first ground, admitted the

the general doctrine that the master of a ship in a foreign port, by a contract for money, repairs, or stores, absolutely necessary for the safety of the ship, might imply the hypothecation of the ship, but he argued that in the relation of the two ports of Calcutta and Serampore, at which latter port the owners of his ship resided, Calcutta could not be considered as a foreign port, which implied a fort beyond seas—whereas Calcutta and Serampore were in the bosom of the same country, in the same river, and within a few miles of each other, and as the owners of the Elizabeth were admitted to be resident at Serampore, where they might be consulted and their answer received in the course of a few hours, their ship, while lying off Calcutta, could not be held or considered as in a foreign port. It was in a foreign port only that the contract of the master implied an hypothecation of his ship, and the reason was clear, because beyond seas and in a foreign port, it might be supposed, that being unable to have recourse to his owners, he had no other security but his ship to offer. At the same time, the hypothecation only applied to such repairs or supplies as were wanted *ex necessitate* and indispensable for the salvation of the ship and to enable her to proceed on her voyage. No such necessity existed here, the ship was bound on no voyage and the master had the constant opportunity of free and immediate recourse to his owners.

On the 2d point it was observed, that there was no document in proof of the ship having been hypothecated by the master. Nay, it was not even alleged that there was any verbal agreement to that effect, much less any written

instrument of the act of hypothecation.

On the 3d point, a recent case was cited from the 5th volume of Robinson's reports of cases decided in the high court of Admiralty, in which a British subject, immediately before the commencement of the present war, had advanced on account of a French ship in an English port, upon the usual security of a bond on the ship. War breaking out between Great Britain and France, the French ship in question, was captured, brought into an English port, and condemned, to the exclusion of benefit to the holder of the bottomry bond which was held to be superseded by the capture *de jure belli*.

On the fourth ground it was observed, that if this were a case of prize, it was here *alieno foro*, since the court, however much the fact may be regretted, has no prize jurisdiction, and as this jurisdiction had not been vested in the court, their lordships could not assume it. The case then before them required particular investigation. It might appear that there had been a collusion between the parties, it was not said there had been such collusion, it was sufficient for the argument, that it might have existed, and before the claim, now set up by the promovents, could be allowed, that question ought to be decided. The subject of a foreign state, on hearing the account of a war between Great Britain and the state, to which he belonged, and having, at the same time, a ship in a British port, which he knew must be seized at all events, it would never be allowed that he should employ his property in that ship, while *in ipso Januitus*, in the very jaws of the enemy, to

pay his debts with that ship, and thus to defraud the sovereign or his representatives. These points it would be proper to investigate, before such a claim as that now set up were allowed. They were, however, questions that could only be investigated in a prize court. And, therefore, this was a case not triable by their lordships—it was a case cognizable in the high court of Admiralty of England.

After much learned and able arguments on both sides the court gave judgment, dismissing the bill, each party to pay their own costs.

Sir Henry Russel, chief justice, in delivering his opinion, expressed his regret that the promovents, in parting with the possession of the ship, had lost their proper remedy against the property. Lien and possession went together, and it would open the door to fraud and abuse, were it to be held otherwise. Had the promovents continued to retain their possession, they would have held that right and property in the ship, that *jus in re*, of which no capture could deprive them; but by parting with the possession, and delivering over the ship, to her owners and masters, they voluntarily accepted of their security, which was made more manifest by the fact set forth in the libel, that the ship, after being restored to her owners, was by them offered for sale avowedly, and with the knowledge of the promovents; and had a sale been effected, it is not to be supposed they would have looked to the ship, or the purchaser, for the payment of the bill, but to the owners or the masters.

As to the point of jurisdiction, Sir Henry Russel observed, that, as there was no doubt that this was a prize question; it was conse-

quently, not within the jurisdiction of this court. And, although the extension of such a jurisdiction to Bengal, would rather add to his own inconvenience and solicitude, he could not but regret the want of it from the inconvenience that arose to the public.

Sir John Roysds followed in the expression of pretty nearly the same opinions, and adduced some additional arguments in their illustration and support.

Sir William Burroughs did not subscribe to the opinion that a lien, on a foreign ship ceased with the possession. Ships were considered as different from other species of moveable property, and that distinction was countenanced both by commercial and national policy, and he held that the lien upon a foreign ship, in a foreign port, and arising on account of necessary repairs and stores, continued while the ship remained in that port, or until the inception of her voyage. As to the question of this being a case of prize, Sir William expressed some doubts, whether the court had concurrent jurisdiction with the court prize on this collateral point. But as the court had not direct jurisdiction on the question, prize or no prize, and the ship might well be considered as in the custody of the law by the capture, he thought it at least questionable, whether such a concurrent jurisdiction could be exercised here, and, therefore, thought it better to leave the party to claim, as he certainly might, before the court of prize. He, therefore, reluctantly concurred in the dismissal of the cause.

The court, though bound by law to dismiss the cause, acknowledged the hardship of the case upon the promovents, who, by an act of indulgence,

duelgence, lost the remedy, which they originally held against the ship.

The preceding case, and several others that depended on its issue, as well as the amount of the condemned captured property now in the river Hooghly, clearly prove the grievous inconvenience to the public, from the want of a prize jurisdiction* in the supreme court of judicature, in the metropolis of India.

July 19 By a letter from Tienquebar of the 17th ultimo, it appears, that the Danish vessel, *Joe Venner*, was carried out of Tappanoolv roads on the 7th of April last, by her own commander, and afterwards recaptured and brought back by her crew. She was ultimately seized on her return, by his Majesty's sloop of war, *May-flower*, as Danish property. The master was sent on shore in irons, but continued, notwithstanding, to effect his escape in a Malay prow.

July 20 During the last spring tides, the Bore in the river Hooghly has been more violent than for several years past. On Sunday se'nnight, a Patillah boat, passing very imprudently by the sand bank at Howrah, where its force is great-

est, was overtaken by it, and filled with water in about three minutes. Three of the Daudees, together with three servants, and a very fine horse, belonging to a gentleman, on his way to the Upper Provinces of Bengal were unfortunately lost.

A letter from Muttra, of the 7th current, states, that the rajah of Jaypore had been attacked by a Mahatta force, under Bapoojee Scindia, and totally defeated, with the loss of 3,500 men, and 40 pieces of cannon.

July 21 In consequence of the interruption of the accustomed channels of trade, Bengal Indigo has actually found its way *overland* from the Euphrates to Constantinople. This circumstance has occasioned a very great demand for that article in the Bassorah market. The finer sorts are particularly sought after, and purchased at almost any price.

The general appearance of the rice harvest is by no means promising. The irregularity of the present season has been particularly felt in the Bardwan district. The river and tanks are at this moment lower than has ever been known at the same time of the year.

Occurrences for August.

August 1—The prospect of the produce of the Indigo crops of the present season, in the Bengal provinces, is generally unpromising. In Tihoot and Parneah, the plant has suffered unaccountably in growth, and the quantity of its produce is greatly diminished. Throughout the lower parts of Ben-

gal, the crop has sustained material injury by inundation, arising from the extraordinary height of the spring tides in the Hooghly, and in all the ramifications of the Ganges.

August 3—The French cartel *Ressonce*, commanded by Monsieur J. T. Desjardins, has quitted the honourable

* This inconvenience is now removed, the supreme court, or the chief justice of it, for the time being, being vested with prize jurisdiction.

honourable company's moorings at Kiddepore, and proceeded down the river, on her return to the Isle of France

Three government vessels, full of French subjects from Chandernagore, passed Calcutta on Thursday afternoon, to be conveyed to the cartel

The following is the argument of Sir William BURROUGHS, in delivering the judgment of the court, in the important cause of *Mullik and Mullik*

Sir W Burroughs ---The testator, Nemaye Churn Mullick, died on the 24th of October, 1807, possessed of a large estate, in money, lands, chattels, &c &c little short of a crore of rupees, or much exceeding half a million sterling. A great proportion of that property had been left to him by his father, and a much larger proportion was acquired. The testator left at his decease a widow and two married daughters, and eight sons. About ten months before his death, on the 5th of February, 1807, he made a will, and three codicils or testamentary papers, on the same day, the will having been read over before his decease, in the presence of all his sons. The testator died on Saturday, the 24th of October last, and the Monday following, a bill was filed by the complainants, the six younger, against the two elder sons, the defendants, in which the complainants denied the right of the testator to make an unequal division of his ancestral estate. An amended bill was afterwards filed by the complainants, in which, after having inspected the will, they alleged that they had been deceived by the defendants, that they had been made to believe that their father had, in his will, expressed his intention to dispose of

his whole property, ancestral and acquired, and had given them a small part, and the residue to the defendants. In this amended bill they set up a claim to a beneficial interest in the residue of the estate, alleging that it was devised as a fund for the benefit of all the sons, subject to certain charges. Issue being joined, the cause was brought to a hearing

As to the arguments on the first question of the Hindoo law, whether the testator had a right to make an unequal division of his ancestral and acquired property, there could be no doubt of such a right. The Hindoo authorities, in various cases, have supported and clearly established that right. However cruel or unjust it might appear to disinherit one son, or to give a decided preference by an unequal division of property, yet if the intention of the testator to that effect be proved, it must be confirmed, --- the same doctrine is sanctioned by the English law. In most cases the father is best competent to decide as to the comparative merits of the members of his family, and he, therefore, could not concur in the opinion, that the exercise of such a right was either unnatural or officious. Two modern cases of note decided in this country, the one by the supreme court, and the other by the Sudder Dewannee Adawlut, recognized the right of a testator to make an unequal division of his property. The first of these cases was that of Ruffuck Laul Dutt and Muddon Mohun Dutt, which was decided while Sir Robert Chambers and Sir William Jones were upon that bench, whose great attainments in Oriental literature enabled them to detect any inaccuracy in the authorities brought before them. The other case decided

cided by the Sudder Dewannee Adawlut, was that of the rajah of Nuddeah, in 1792, whose will gave the whole of his landed property to the eldest son, to the exclusion of the three youngest. After referring to all the pundits of Calcutta, Moorshedabad, Dacca, &c &c the will was affirmed. Mr Colebrooke, whose learning and opinion carried great weight, had expressed some doubts, but in the digest itself, page 241, the ground of these doubts is removed by the position there laid down. It was clear then, that under various concurring Hindoo authorities, the testator had a right to make an unequal division of all his property, ancestral and acquired, moveable, immoveable, and of every description. In this the bench is unanimous.

Having disposed of the question, as to the testator's right to make an unequal partition of his property, he came to the second point, as to the construction and operation of the will itself. The testator having died on Saturday, on the Monday following the complainants filed their original bill, in which they prayed that the defendants should account for the ancestral property, with interest, from the time of the decease of their grandfather, without claiming an interest in the residuary estate. Doubts were afterwards raised by their counsel, on which their amended bill was formed. The pleadings agree that the will was known to the younger sons in the father's life time, and their original bill shews, that their first impression was, that they were excluded from all right or interest in the residuary property. He was not sure that the court ought to lose sight of that fact, as it clearly shewed their own belief that they

were excluded from any share in the residue of the property. It is true, that in the amended bill, they state a fraud, alleging that the defendants had deceived them in their representations respecting the will, which, however, is positively denied by the defendants, in their answer, and is no where attempted to be proved.

The next point is, whether the whole of the residue of this estate was intended by the testator, as a fund for the joint benefit of the eight sons? It was necessary, in considering that question, to look at the will itself, which they could only do through the medium of a translation and the translation in this case, did not appear to be so minutely exact as could have been desired. The will is made in the name of the two eldest sons, and, as it now stands, is addressed to them in these words:—"To Siraj Ramgopal Mullick, my eldest son, and Siraj Ramurton Mullick, my middle son, greeting with benedictions, I, Sir Nimayechurn Mullick, make this will---I make this will in the names of you two." After this address, and specifying the different legacies, the will proceeds and says:—"besides this, whatever estate shall remain, consisting of houses, ground, talooks, cash, &c &c will remain under the charge of you two---you two are managers thereof."

By this clause, the whole of the residuary estate is put under the management of the two eldest sons. They are, to all intents and purposes, the executors of the will, and with much larger powers than are possessed by executors in general. There could not be a doubt of the intention of the testator by this will, to appoint his two eldest sons his executors. The term *curmah*

curmah

curtah in the original, means, in its most usual acceptation, manager of business. Foster's Dictionary translates it manager. He thought that executor would have been a better translation. It is also translated attorney, and the attorney of a dead man, must mean the executor. * *Curmacurtah* implies much more than a manager, and frequently means right of property.

From considering the address to the eldest sons, and the will being made in their name only, and from the entire construction of all the clauses, he was of opinion that the whole residue of the estate is put into the hands of the two eldest sons, that the estate is clearly vested in them, and that, if probate were granted of Hindoo wills, no doubt it would be granted on this will, to the two elder sons. *Pudering and another, versus Towers --- Amler, 363*

The counsel for the complainants, as he understood them, made the following points, under many subdivisions.

1. That the testator intended the residue should be a trust-fund, for the benefit of all the eight sons, subject to certain charges.

2. That if the residue was not intended for the benefit of the whole of the sons, that it became a fund for religious purposes only.

3. That in such case it was so vague and uncertain in its object, that it fails, and must result to the heirs at law.

In deciding on the intention of the testator, he did not rely on the particular meaning of *curmacurtah*, which is equivocal, but upon the great grounds and facts in the will, to which the rules of construction apply. The rules of construction form a most important part of law, and were the court not to decide by

these rules it would be better, instead of calling upon judges of the law, to leave the decision of the question to juries. If a judge had authority to take up a will as a common letter, and to dispense in its interpretation with the established rules of construction, it would be setting aside all those decisions to which a court of law was bound to adhere. The great rule of construction, and to which all the others are auxiliary, is to give due effect to the intention of the testator, where that is consistent with law, by which all their decisions are guided. The great governing principle is to give effect to the general meaning and intent of the testator, and the meaning, though contrary to the words, is to be the guide. This doctrine is supported on the authority of lord Hardwicke; it is confirmed in the decision on Thelluson's will. Lord Mansfield has recognized the same established rule of construction, and the master of the rolls, more recently, declares, that wherever the court can see a general intention consistent with law, it is bound to give it effect. The general intention, which is in all cases to be considered as the governing principle, is to be maintained.

The words in a deed are not the principal or most essential thing, but the intention of the deed, and the words are to be so construed as shall best answer that intention; and through all its clauses the court is bound to construe according to the intention of the testator. It must always be remembered, that when the residue is given, the testator does not intend to die intestate, with respect to the residue; and that, although a construction shall be made to support it, it never shall be made to defeat the inten-

tion of the testator---*ut res magis valuat quam pereat*---so that, instead of fastening on any particular word in this will, to defeat the general intention of the testator, they were bound to construe them, so as to effectuate that intent as far as they could collect it,---they were then to turn to their first duty, that of collecting the intention. On reading this will, the intention of the testator to dispose of all his property, is evident, in the clause as to the residue of his estate, where, after fulfilling certain duties, the residue is to remain in the hands of the two elder sons. With this disposition in his mind the testator sits down to make his will. He begins with addressing his two eldest sons, and this address is similar to all Hindoo instruments conveying property. He declares that the will is made in the names of these two sons, and that he meant to give some effect to this declaration, and to appoint them sole executors of his will, it is impossible to deny. His next object is to give to each of his sons three lacs of rupees, or about 40,000*l* sterling, deducting therefrom, the amount of such sums as each had previously received from his estate, during the testator's life. The direction to account for debts due to the estate, it is admitted, was necessary, whatever might be his intention as to the residue, and this clause of the will he concludes with saying, "no one will have any concern with another." This is a very material sentence, and completely puts an end to all joint concern, or interference on the part of the six younger sons. He then goes on to explain his intentions to the defendants, using in all his directions respecting the residuary estate, the future tense, which he here changes

to the present, and says, "you two are the managers thereof," then he adds, "you two will discharge my debts," &c &c committing the whole power and control to the defendants. As to the reference which he directs to be made to the six younger sons, he thought it clear that it was done, in order to prevent misunderstanding, and to obtain that conformity in their religious ceremonies, so requisite to the decorum observed among Hindoo families, and the notice to them was, no doubt, intended that the eight sons might perform the pious family duties, contemplated by the will, collectively. The direction relates only to such rites and ceremonies as were to the honour of the family, and raises no inference either of right of property or of control, they are merely to have the right to agree or to refuse, and if they object, the two elder sons may, if they please, disregard their objections, all of which is evidently incompatible with any right of property. It is clear that it cannot extend to the giving them any interest or control, when the express words of their exclusion is looked to. The cocicils are also addressed to the two elder sons, and the entire control of the property therein mentioned, likewise given to them.

They are to pay debts, to perform his and his wife's obseques, and to perform certain pious duties. The directions given on these points, are expressed in very general terms, there is no direction as to the expense, it is general in all respects. It is clear, therefore, that his intent was to give to the two elder sons the discretionary power in all respects, over the residue of his estate. He best knew the temper and disposition of his own offspring,

spring, and to those who stood highest in his confidence and affection he left all his residuary property, subject to certain charges, but exempt from all control on the part of the six younger sons. All is left to the discretion of the two elder sons, giving them the most exclusive power and authority. It is impossible to suppose, if he did not intend to do so, that he who had gone into such minute details, respecting the property left to his daughters, would not have been as particular as to this great residue, as he was with respect to the small bequests in the codicils.

Had he not implicitly relied on the duty and affection of these two sons, he would not have left them a discretionary power respecting objects that were considered so interesting in this world, and to the happiness of his soul in another. He had no intention to make the defendants such machines as were called trustees, he intended them possession and right of property, and the words used in the will, "will remain under your charge and management," were not inconsistent with that general intention. The word translated "charge" is highly equivocal, and this word affords a principal ground on which the complainers rest their claim. The word in the original is *zimmeer*, and, according to Forster, often means possession, (*preface to Forster's Dictionary*)—The word occurs once in the will, and repeatedly in the codicils. Had the translator intended to have left the defendants merely as the trustees of the residuary estate, he could easily have done so, and in his codicils he has, in fact, appointed them trustees of the bequests to his daughters.

Executors are not to be considered as trustees. Where, in the Eng-

lish law, a man takes an estate subject to a charge, he is not a trustee in the sense in which that word is received in a court of equity. If a man were to appoint A or B. his executor, and add the words I leave my property under your charge, it would not convert him into a trustee, so the word *zimmeer*, or charge, used in this will, cannot convert the two elder sons into trustees, contrary to the context of the will and intent of the testator. The words translated "will remain under your charge," might be used with the intent of giving all the right of ownership, with many duties subjected to it. He thought they would violate all the rules of construction, were they to determine that this Persian word, for it was a Bengalo-Persian word, is to be allowed to convert the defendants into the character of trustees. They ought not to fasten on the precise word, but to be guided by the context and general intention of the whole.

There are no words in this will, from which to collect that a trust was intended, and there is no express trust. Three requisites are indispensable to raise a trust, and the want of either of these requisites is fatal to it—1. The words by which the trust is raised, must be clear;—2. The property must be defined, and 3, the object of the trust must be clear. *Hartland and Trigg*—1. *Bio Cas Chary* 144; and many other cases. There are no words in this will from which to collect that a trust fund was intended, and there is no express trust, the words, the property, and the object must be clear; each of these is a *sine qua non* of every trust. In considering the object and property embraced by this will, and whether the words used are sufficiently

sufficiently mandatory and imperative, it appears that the only words to that effect are "will remain under your charge: you are the managers thereof," which cannot be held sufficient to raise a trust, under the want of a definite object. In the codicils, where a trust was intended, this *sine qua non* as to the object, is supplied. The clauses in the codicils make the object sufficiently distinct.

By the will it is evident, that the testator intended to make the residue of his estate liable to the charges of certain pious duties, though the amount is not named, but left to the discretion of the defendants alone, and had it been intended as a trust fund, it was evident that he did not intend that the complainants should share in its benefit, since he had expressly excluded them from all concern with the residue of the estate. By giving such unbounded powers to the two eldest sons, the intention of the testator is made apparent. In order to prevent disputes respecting the duties to be performed by the two elder brothers, he directs that the six younger sons are to have notice of the performance of the religious ceremonies, and if they object, their objections are to have no weight. To make the object still more plain, and to draw more distinctly the line of separation between the six sons and then two elder brothers, he declares that the latter are to have no concern in the management, and if they do object, their objections are inadmissible. Had the testator intended all the eight sons to be joint sharers in the residuary estate, he would not thus have excluded them from all concern in its management. It is impossible to conceive that he intended to give any such interest

in the residuary property to the six younger sons, when he expressly declares that there is to be no common concern, and excludes them from all control or power respecting that property, which he could not have consistently done had he intended them to be joint proprietors. Such an exclusion from all right of control negatives the idea of proprietary right.

The original bill was filed by the complainants before the ashes of their father were cold. He who knew, from the best opportunities, the disposition of his own offspring and their relative qualities, did not choose to confide equally in them all, though they were all adults; but some stood higher in his confidence and affection than others, and it was natural that to choose he should give a proof of the preference in his favour, and that he should repose his confidence in those who best deserved it. If it be decided that all the eight sons are entitled to share in the residuary estate, there is no restriction to prevent an immediate division of the property, and, consequently, the complainants may to-morrow, if they will, take it out of the hands of the defendants, in direct opposition to the will of the father. By the exclusion of the six younger sons from all interest in the residuary property, and leaving it entirely to the two elder sons, he knew that the complainants would be irritated at that unequal division of his property, foreseeing that effect, he guarded against their interference by introducing a clause into his will, that limits them to the option of joining in the pious uses of the family, but expressly excluding them from all concern in the property. It has been asked, if the testator intended that the defendant should

should possess the whole of the residuary property, why did he leave them the separate legacy of three lacs of rupees each? But it is plain that the three lacs were given to them for certain uses; making over to them the residue of his property, and distinguishing them from the others as the particular object of his confidence and affection.

It was probable that the distinction between actual possession and a beneficial interest in the property possessed never entered the head of the testator. No body, but a lawyer thought of such a distinction. No man even in England except a lawyer, would think of separating the possession from property—it requires legal knowledge to mark the difference, and he believed that no such difference ever entered the head of the testator, or of any other Hindoo; he could not therefore intend to make a distinction that was unknown to him, and in giving to the two elder sons possession of the residuary estate, subject to certain charges, he vested in them the proprietary right—placing the residue exclusively in their hands, and leaving the amount to be expended in religious and charitable functions, entirely discretionary with them, is decisive against any claim to a beneficial interest on the part of the six younger sons. To have given them any claim in that property, an express declaration in the will to that effect was necessary. In point of law he considered such a declaration necessary to give the six any interest in that property. To that effect, he thought it would be necessary in law, that there should be words sufficient to support the intention; that those for whom the benefit was intended should be declared,

the property given should be certain and fixed, and not dependent on the will or discretion of another. There were three indispensable *sine qua non*s, to entitle the complainants to any beneficial interest in the residuary property, not one of which was to be found in this will. There was not a word directing any part of the property to be paid to the complainants, not a word as to the objects to which any part of the property is to result, nor is there any certain property appropriated. As to the objects to be accomplished, the testator leaves the mode and the expense entirely to the discretion of the defendants, unfettered by all restraint from the complainants.

If the testator did intend to raise a trust, the most natural and obvious purpose of it was the benefit of the two elder sons, and their descendants. That he should select the two eldest sons to be executors of his will, to entrust them with the management of the estate, to perform various religious offices, to discharge all the weighty and important obligations of executors to such an estate, without any recompence for their trouble, is extremely improbable—It cannot be supposed that he would place these two favourite sons, the first in his regard and confidence, in a worse situation than the younger sons—It is incredible, and yet such would be the effect if the bill of the complainants is not dismissed. Had he no other ground of preference than that of primogeniture, which is highly respected by all Hindoos, that alone would have had its influence in preventing the two elder sons from being placed in a worse situation than their six younger brothers, and less advantageous to them than had he died intestate;

in which case the eldest son, by the Hindoo law, would have been entitled to one-twentieth of the whole property, in the first instance, and the second son to one-fortieth part; after which, the residue would have been equally divided among all the sons so that if the bill be not dismissed, the two eldest sons, are not only without compensation for their trouble as executors, but are placed in a worse situation by this will, than if the father had died intestate, not can those objects, considered so important to the testator's reputation in this world, and his happiness in another, be effected, if the two eldest sons are not vested with the residuary estate, subject to such duties and charges as the will directs. It has been asked, if the Testator intended to give a beneficial interest to the two eldest sons in the residuary property, why did he use the words "will remain under the charge of you two." To that it might be answered, that the rule of construction looks to the whole scope and intention of the will, and not to any particular word or passage, and that that ought to be their guide in the construction, would appear by turning to one of the codicils, where he says, "my daughter will receive 10,000 rupees," and, according to these words, were they to go by them only, the money must be paid to the daughter, but by the sequel of the Codicil it appears, that sum is to remain under charge of the two eldest brothers, so in his will in giving three lacs of rupees to each of the eight sons, his words are, each shall receive, but by addressing his will to the elder sons, and making it in their names exclusively, he intended to vest the whole of the residuary property in them, subject to the payment of debts

and the charges of certain pious duties. It has been said that the words under your management or charge, are inconsistent with the right of property. It may fairly be said, that the word charge or management standing by itself, could not fully imply the right of property in the thing held, but if the word manager were added to an English will, in which the intention of the testator to vest property in the person, was fairly collected, the addition of that word would not be inconsistent with the general intention, and would not affect the right of property. It is a common expression to say, that such an estate thrives under such a one's management, and there the sense in which management is taken, is not at all incompatible with the fullest right of property.

If the testator intended by this will to raise a trust, it could only be for one of three objects—the first, for pious and charitable purposes,—secondly, as a fund for the benefit of all the sons, and thirdly, for the benefit of the two eldest sons, subject to the charges.

There are no words sufficient to raise a trust by this will, for charitable purposes, although the general nature of the expressions will not prevent it in such cases.—The translator has only rendered the word "out of," in the case of the payment of debts, and "from," elsewhere,—that, however, is of no consequence. There is no application of any estate to any of the purposes enumerated, and therefore there is no trust, but if there were, the complainants' bill must be dismissed, framed as it is. If there be no trust for charitable or pious purposes, it can never be contended, that the testator intended to give any interest in the residue to either or
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all of the six sons, which is at variance with the language of the will, which excludes them from all management or concern, at the same time that, with a view to religious family decorum, he desires a communication to that purpose, to be made to the six younger sons, carefully guarding against any conclusion, and the previous declaration that they should have no concern one with the other. If it be decided that it was not the intention of the testator to exclude the younger brothers, they may file a bill for the partition of the whole, whenever they please. The separate legacies to them under that construction, are unaccountable, though not so the legacies to the elder sons. It requires express words, to separate the beneficial interest from the possession. But the complainants have neither possession nor beneficial interest given to them by any words in this will. There are no words mandatory or recommendatory in favour of the complainants, as to the principal or profits, or pointing them out as objects of his bequest. How is the balance of this estate, for which the defendants are called upon to account, to be ascertained? If there were nothing but the debts and the particular objects, the balance of the residue might be ascertained, but as there are various undefined objects to be regulated at the discretion of the defendants, such a balance can never be ascertained, and his lordship thence inferred that the testator intended the beneficial interest to go to the two sons. And it was most improbable that he could intend to place his two eldest sons in a worse situation than the younger; and yet such must be the case if the complainants are right, as, by a division according to

the Hindoo law, they would have been entitled to more than their younger brothers --- The testator does not any where say I give --- the words of the bequest throughout are pursuant to the object he had in view. He intended the estate to go to his two elder sons, subject to debts and to the charges, and had no idea of perpetuity as to the residue, although as to the property in the codicils he had such an intention, and these were written on the same day with the will itself. A doubt might arise whether he gave the two elder sons, more than an estate for life, if the direction as to the payment of debts, &c did not carry the fee, according to the determinations so numerous on this point.

It has been presumed that the testator intended to form a sort of nondescript perpetuity, by which the residue of his estate should remain as a monument of his name and greatness upon earth. Such an idea, however, was unsupported by proof, and was in itself absurd. There was no probability that the testator ever thought of so extraordinary a perpetuity, nor of any other perpetuity for the residue of his estate, though in his codicils he has constituted a perpetuity for express purposes and had he intended to have done so with the residue of his estate, it would in like manner have been expressed in the will, which was made on the same day with the codicils. That he had no such purpose is also evident from his not using the words for ever, nor does he even say to you and to your heirs and if he had used these words it would go no further than a fee; it could not create a perpetuity. There is no perpetuity formed or intended, nor is there any attempt to lock up the property.

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The law requires that the property should be enjoyed, and the question then arises by whom? The charges on the residuary property are to be considered as mere legacies, or as charges to which every estate in the hands of the Hindoos are subject, and they are all left to the discretion of the defendants.

It is a clear and established rule and first principle, that no resulting trust can be raised contrary to the intention of the testator, the intention must prevail even against the words, and that heirs at law must be excluded by necessary implication, from the words of the will, need not be urged P.C 51 --- The implication here, is necessarily raised in favour of the two elder sons, to the exclusion of the six younger, for the implication, in favour of the two, cannot be set aside, without also putting aside the whole of the residuary clause. A doubt has been suggested whether the words, "will remain under your charge," are sufficient to convey the right of property, but there is an addition to these words, an express devise by this will. The defendants by the words of the will are directed to pay debts out of the residue, and to fulfil other purposes, to do which requires that they should have absolute dominion of the property, even where there is a devise to pay debts and funeral expenses, it gives a fee--- no will requires particular words to confer an estate.---Gardner and Skelton, 1 Eqy. Cas. abrd 197

It is then said, that if the testator did not intend a trust either for pious purposes, or, for all the sons, it must be left for some other purpose; and from omitting to say in the will, that the residue shall go to the use and benefit of the two elder sons, it could not be intended

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to go to them. Every presumption by which a resulting trust could arise is rebutted by the language of this will. The nature of a resulting trust is, that it arises from some express or constructive trust intended by the testator; such intent is therefore a previous question, and must depend upon there being words which show he *did not* intend that the legatee or devisee, should have the beneficial interest, and that the testator would have declared such to be his intention, had he been called upon. The devise in this case is not a property to be sold, but a devise to the defendants, subject to certain charges with general directions; and no such devise has ever been construed to be a trust. It has been said that the words "will remain under your charge," have raised a trust by construction; but the rule is, that there must be a certain express object to raise a trust, and no such object is here.

Lord Hardwicke in Hall and the Bishop of London, 1 Atk 618. shews the further rules as to resulting trusts, and the decision in this last case was in favour of the defendants in the present. There is no instance of a resulting trust, where there is a devise, with personal instructions to pay debts. In the last case there was no declaration as to the produce arising from the sale of the Adowson, and yet Lord Hardwicke held that there was no resulting trust. Suppose that in this case the residue of the estate, consisted of lands to be sold, for payment of debts and other purposes, there were many authorities for deciding that, even in that case, no resulting trust could be raised unless the intention of the testator were clear to that effect---
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notwithstanding lands are sold, the residue should not result to the heir at law---such a claim had been set aside by the Lord Keeper, assisted by four Judges. So in North and Crompton, 1 Cas Chy. 196 the law gave the estate to the devisee, though no directions were given as to the disposal of the residue, after the payment of the debts and legacies---So in Rogers and Rogers, Talbot 268, the Chancellor said it was impossible to believe that the testator meant to make the devisee a trustee for the heir at law, and there the words were *in trust* for the payment of debts and legacies---So in Malibai and Malabar, Talbot 78, the words were *upon trust, &c* So in 2 Freeman, 105, and *Cunningham and Miltish*, 1 Eqy cases abd 273 In one of those cases there was an attempt made to take the residuary property from the devisee in favour of the heir at law, but the House of Lords and the courts below, set aside the claim, and it was then said by the lord chancellor, that if it were held that the beneficial interest in the property, should result to the heir at law, the devisee would have nothing but his labour for his pains---So much as to a resulting trust to an heir.---Now as to an executor, the question must depend upon the testator's intention---The *onus probandi* would be on the next of kin---it would be necessary that the next of kin should shew that the testator did intend to exclude the executor, and that intention must be clearly proved, before the interest of the executor can be disturbed---there must be clear proof, violent presumption, or irresistible inference that, by naming an executor, the testator did not intend him to have the beneficial interest in the residuary property; where there is

such property undisposed of, the fundamental presumption that the law makes in such case is, that it is a gift to the executor, of which he is not to be dispossessed by the next of kin at law, or that the executor shall take the whole of such residue, unless there be direct proof, violent presumption, or irresistible inference of the intention of the testator to the contrary, arising from the will itself, and the complainants must shew such grounds in their favour, before the defendants could be called upon to rebut their claim A legacy to an executor cannot take way or affect his right to the residue of the estate To have that effect it is necessary that the legacy be given expressly for his trouble, and his right to the residue cannot be disturbed unless under direct proof, strong presumption, or irresistible inference. The legacies in this case will afford neither such proof, presumption, nor inference; and unless the complainants can shew such grounds, the right of the defendants cannot be affected, even were they entire strangers, unconnected with the family of the testator, and if a doubt only could be raised against their right, were they standing in the situation of mere strangers, how much more strongly does their right to the property appear, when considered as the elder sons and the heads of the family, vested with the higher pretensions, particularly recognised by the Hindoos, and by their law in favour of primogeniture? It is natural to believe, that the testator intended them adequate compensation for their trouble, and there is no proof by which the complainants can shew, that the testator did not intend that they should take the whole of the residue of the estate.

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The estate being in the hands of the executor, the next of kin must, from the will, shew such an intent of the testator in his favour; and then the executor may rebut the inference by extrinsic evidence. All the cases shew that the executor must have the beneficial interest in what is undisposed of, unless there is an irresistible inference to the contrary. Where is that evidence or inference here? If the express legacies in this will to the two defendants, can be held to exclude them from their rights as executors, the legacies to each of the six complainants must also exclude them as next of kin. The cases of equal legacies making the executors trustees for the residue, admits of many exceptions, as in *Rutland and Rutland*, 2 Peere Williams, 209—*Ball and Smith*, 2 Vern 676. *Jones and Westcomb*, 1 Eqq Cas and 245, both noticed in *Southcot and Watson* 3 Atkins 229 *Lawson and Lawson* 4 Bro P C 21 and *Hornsby and Finch*—2 Ves Seni 80 ---The case is, that they are trustees, when the legacies are given for their care and trouble in the management, as in *Foster and Munt* 1 Vernon, 273, or when an irresistible inference arises from some point equally strong, *Bowker and Hunter*, 1 Bro C Chy 328, shews and confirms this doctrine. But this case does not stand on the mere defect of evidence on the part of the complainants, for the words of the will are in their favour, as are their relationship and the legacies to the complainants. *Att, versus Hooker*, 2d P Williams 338, and from all these considerations his lordship inferred that the testator intended to exclude the six younger sons, from any interest beyond their express legacies.

It would be destruction to the

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purposes of the will, if the complainants have a right to call for a division of the property, since by the words of the will, they are shut out from all concern with it. The case of *Pickering and Lord Stamford* was a legal intestacy, the property not being disposed of at law, or in equity, but does not extend to the case of an executor, or of a resulting trust. Lord Loughborough's own doctrine, in *Bowker and Hunter*, shews 1 Bro. 238, that neither heir nor executor can be excluded but by express words, or necessary implication; but here there is an express devise of the property.—In *Bachelor and Searle*, there was no gift of the surplus. Vern 736, *Brassbridge and Woodroffe*—2d Atkins 68, the executor's right prevailed upon the single ground, that the intent of the testator was to exclude the next of kin. There is no legal foundation in this will on which to rest a resulting trust, and *Vatchest and Breton*, 5 Bro P C 51, shews that if there was a resulting trust, it could only result from the defendants as executors, to themselves as next of kin, and eldest sons. There is nothing in this case like an intestacy, so that he was clearly of opinion, that the complainants have only shewn a right to their legacies of three lacs of rupees to each; and that they have no right to an account, with a view to, or in aid of evidence, and they cannot have it on any other ground, as the court are all agreed as to the right of the testator to bequeath his ancestral and acquired property, in unequal portions, and a reference to the master would, he thought, be at variance with the whole scope of the will, and counteract the intention of the testator.

On all the points of law the inferences

ferences are in favour of the defendants. The Hindoo law does not stand in the way of the execution of this will, as it acknowledges the right of the testator to make an unequal distribution of his property. The will does not express any trust, there is not one of the *sine quâ non*s of such a trust, neither is there any constructive trust. Where chattles, &c. as in this case to pay thereout debts or other charges the residue becomes the property of the devisee, and no resulting trust can spring from such a devise. There are here no such direct proof, no violent presumption, nor irresistible inference, as the law requires, to disturb the right of the defendants, and the grounds for raising a resulting trust are rebutted by the general intention, collected from the will, and if any trust could result, it must be to the defendants, as next of kin, the other six sons being expressly excluded by the words of the will.

It has been said, if the balance of the residuary estate were found to be very considerable, it might be concluded that the whole of the sons were intended by the testator to share in that residuary fund, but that if found to be inconsiderable, it should go to the two elder sons only. But no such rule could apply—their decision was not to be

guided by the amount of the property, but by law, and must be the same whether it was one lac or an hundred lacs. He thought that the bill ought to be dismissed, as the object of the testator expressed in the will was, that the complainants should have no concern or controul in the residue, but if the bill be not dismissed they must have a very important concern with it, and the decree, which they were called upon to give, must frustrate all the intentions of the testator. The complainants, until a partition of the property be made, would have a right to interfere, though the will expressly interdicts their interference. A general decree to account would be vain also, unless the whole be submitted to the master, and if the sons disagree the points at variance must come before the court, which would impose upon them the regulation of the mode, form, &c of idolatrous worship, duties not very consistent with the character of a British and Christian court. The directing in this case, any such reference to the master, is in direct opposition to the intention of the testator, and has the effect of setting aside all his arrangements, and taking away that discretionary power which he gave to the two elder sons to the exclusion of the others.

. Occurrences for SEPTEMBER.

SEPT. 3.—Accounts immediately received from Bencoolen, convey information of the safety of the ship *Duchess of York*, captain Forrest, of Calcutta, considered as a missing ship for upwards of six months.

The *Duchess of York* sailed from Calcutta, for Port Jackson, in New

South Wales, nearly twenty months ago, and arrived in safety at her destination. Thence she proceeded to the Feejee Islands, in quest of a cargo of sandal wood, which having obtained, she returned to Port Jackson, and again sailed

on

on the same voyage early in January last.

Having completed his second cargo of sandal wood, captain Forrest sailed from the Feejee Islands, on the 30th March, and endeavoured to get to China, for which market his sandal wood was intended, by an Eastern route, but from the lateness of the season, after fruitlessly persevering for nearly three months, he found it necessary to bear up, and to make his passage to China, by the straits of Malacca. On passing the West coast of Sumatra, he touched at Bencoolen, and after a very short stay, sailed in prosecution of his voyage to Canton, on the 2d of last month.

Captain Forrest brings the latest advices yet received from New South Wales. His accounts from Port Jackson, extended to the beginning of January, at which date the different British colonies in that quarter continued in their usual tranquillity and good order.

The Feejee Islands, mentioned in a preceding paragraph, are probably but little known to the general reader, as it is very recently that they have been brought into notice. Captain Forrest is not, perhaps, the very first Englishman who has visited these Islands, though he is certainly the first of his countrymen who has carried thither a British ship, for the purpose of trade, a fact which certainly reflects credit on captain Forrest, and the owners of the *Duchess of York*; and which may be noticed with more satisfaction at the present time, when, from the benumbed and stagnant condition of the East India country trade in general, additional value is conferred on every new opening, however cir-

cumscribed, of employment for mercantile ships.

The Feejee Islands are situated to the North East of New Zealand, and immediately to the eastward of the large groupe, named the Friendly Islands. They are laid down in some late charts in about 16° 30 south; and 178° east.

Mr Campbell, of Port Jackson, a gentleman connected with very large commercial establishments, which, on various occasions, have afforded substantial benefit to the British colonies in Austral Asia, had forwarded by captain Forrest, on his second voyage to the Feejee Islands, a valuable breed of sheep, and some other articles, as presents to the two chiefs of the islands, by whom they were most graciously received. This mark of attention would tend to confirm the favourable opinion, which these new acquaintances had formed of the British character.

Sept 10 --- The Durogah, of Sulkeah, who was lately committed for trial, before the court of circuit, on account of his criminal negligence and misconduct, respecting the late murder and robberies perpetrated at that place, has been convicted and sentenced to seven years imprisonment, and a fine of 500 rupees!

Sept 13 --- On Saturday last, the 10th of September, the honourable Sir Henry Russel, chief justice of Bengal, took his seat on the bench as commissary of the court of vice admiralty, established in Bengal by his Majesty's commission, bearing date the 21st of January, 1808.

Proclamation being made, the commission under the great seal of the high court of admiralty, was produced in court, read, and formally published, when a royal salute was fired.

fired from his Majesty's ship Fox, and from the ramparts of Fort William, in honour of the commission

A separate commission from the lords commissioners of the Admiralty, directed to, and requiring his Majesty's court of vice admiralty in Bengal, to take cognizance and judicially to proceed upon all captures, prizes, &c and to adjudge and condemn all such ships, vessels, goods, as shall belong to the French republic, or to the subjects, or inhabitants of the French republic, was also read and proclaimed in court, separate commissions to the same effect, respecting the ships, vessels, and goods, of the Batavian republic, and all the other states at war with Great Britain, were also read and published in open court

The commissions being read, Sir Henry Russel took the oath of office, the oaths of supremacy and abjuration, upon which a salute of seventeen guns was fired from the ramparts of the Fort, in honour of his lordship's installation.

Sir Henry Russel then made the following appointments in the court of vice admiralty

William Blackstone, Esq. register.
Walter Ewer, Esq. marshal

Edward Strettell, Esq. King's advocate.
Charles Walley, Esq. King's proctor.

All the barristers of the supreme court, except the advocate-general, who was absent from indisposition, were at the same time admitted and sworn in as advocates of the court of vice admiralty

All the attorneys of the supreme court, and Mr I H Thomas, were admitted and sworn in proctors of the court of vice admiralty

The court then adjourned till the 21st of October next.

Captains Cochrane, Gordon, Sneyd, and Groube, of the royal navy, several other naval officers, and a party of seamen and marines, attended the ceremony of opening the court

The commission, constituting the court of vice admiralty in Bengal, conveys high and extensive powers, and particularly defines the objects of its jurisdiction

Sept 26 — Public proposals have been made, under the authority of the supreme government, for the establishment of a new bank at Calcutta, under the denomination of the Bengal Bank

The principle and regulations of this intended institution have been announced by an official notification *

Occurrences for OCTOBER.

Oct. 4 His Majesty's frigate, Ceylon, captain Lye, has had the good fortune to intercept two of the enemy's vessels, one a ship of 20 guns, and the other a sloop of 18 guns, in the straits of Malacca. We have not hitherto been able to ascertain any particulars respecting

the date or circumstances of this important capture.

La Chiffonne, in her passage to India, fell in with, and captured, on the 9th of July, in latitude 9° north, and longitude 21 9 west, the Spanish national schooner Mosca, commanded by Lieutenant Don

* See Appendix.

Mariano Ysastribil, of one gun, and 28 men, bound to Buenos Ayres, with dispatches from Bayonne. The Spaniards succeeded in destroying their dispatches, previous to the capture. The vessel was burnt, and the crew brought on to Ind. a, by La Chiffonne.

Oct 6 The entertainments given by the natives, in celebration of the Doogah Poojah have this year been more than usually splendid. On Wednesday last, the Nautch of Rajah Rajkissen was honoured by the presence of Lord Minto, with his family and suite, during the greater part of the evening.

His excellency the commander in chief, in prosecution of his tour through the Upper Provinces, will proceed from Cawnpore to Lucknow. His highness the nabob had dispatched his son to Cawnpore, to receive the general, and conduct him to his capital.

Oct 8 On Tuesday last, a gang of Decoits attacked the house of Mr. Faddy, indigo planter, at Baunsbury, near Haunscolly, in Kishnagui district, at half-past 4 o'clock in the morning. They killed one of his servants, and cut and wounded Mr Faddy, his assistant, and several of his people, after which they dragged him and his assistant out on a plain, with an intention to cut off their heads, but on consulting together for about ten minutes, they stripped them almost naked, and let them go. They robbed Mr F of plate and cash, and destroyed property belonging to him, to the amount of 4,000 rupees. One of the Decoits was killed, and four wounded in the conflict.

Oct 9. A vessel which arrived in the Hooghley on the 24th ult. from Rangoon, under the name of

the Buimah, was seized on the following day by one of his Majesty's ships, on a suspicion of her being the brig Regina, lately arrived at Rangoon from the Isle of France. She had on board a quantity of cloves, which she is supposed to have exported from the Mauritius.

FORT WILLIAM, Oct 10 Government Order. "The governor general in council has received with unfeigned regret the official report of the death of lieutenant-colonel Colebrooke, surveyor general, at Bhaugulpore on the 21st ultimo, and he feels it to be a just acknowledgement of the claims of distinguished merit, attainments, and character, to express on this lamentable occasion, his sense of the loss which the service has sustained in an officer, whose long and honourable career of public life, had been peculiarly marked by integrity of conduct, an ardent and active zeal for the promotion of science, and by unremitted and meritorious exertions in the performance of all the duties of his profession."

Oct 11. Letters received on Sunday from Lucknow, mention the death of the celebrated Almásy, who so long acted a conspicuous part under the Nabob's government.

The treasure remitted from England, on his Majesty's frigate, La Chiffonne, was landed on Thursday last, and conveyed to the General Treasury. Its amount, in Bengal currency, is rated at 25 lacs of rupees.

On Saturday evening, between the hours of seven and eight, a meeting took place under the great tree on the Kidderpore road, between two military gentlemen, holding staff appointments at this Presidency.

Presidency. The dispute is said to have originated in some expressions used by one of the parties, which the other thought it incumbent on him to resent. They went to the spot, unaccompanied by seconds, and it is said, exchanged shots, at a distance of 10 paces, upon a signal given by one of their servants, who attended with a lantern. At the first fire, the ball from one of the gentlemen's pistols entered the forehead of his antagonist, who instantly fell and expired. A coroner's inquest was held upon the body of the deceased on Sunday, who gave in a verdict of "Wilful murder, by a person or persons unknown."

Oct 18. Late on Wednesday evening, an express was received at the Bankshall, announcing the arrival in the river of his Majesty's frigate *Modeste*, the honourable Captain Elliot commander, accompanied by her prize, the French national corvette, *Jena*, of 22 guns, (formerly commanded by M. Suicouf, under the name of the *Revenant*, privateer.) The *Jena* was captured, to the south of the Sand Heads, after a tedious chase of nine hours.

At the time of her capture, the *Jena* had on board, 25,000 dollars, which she had taken out of the ship *Swallow*, from Penang, the 9th ultimo, captured by her a few days before.

Captain Elliot has likewise had the good fortune to retake an Arab ship, (formerly the *Frederick* of this port) which had previously fallen a prize to the *Jena*. She is a fine vessel, of about 500 tons, and laden with a valuable cargo.

The *Modeste* has arrived in the river with her prizes. An officer from the court of vice-admiralty has

left town, to take charge of the captured property.

The *Jena* was commanded by Captain Maurice, late first lieutenant of the *Semillante*, who distinguished himself so honourably, in his former situation, by his civilities to the passengers of the *Althea*, and other English prisoners. The *Jena* sailed from the Isle of France with an envoy on board, and a packet of government dispatches, for the Gulph of Persia. After executing her commission in that quarter, she proceeded on her return, charged with counter-dispatches for the *Maunius*, but was tempted to depart from her right course, in quest of prizes. With this view, she proceeded up the Bay. She succeeded in capturing the *Swallow*, and took and destroyed a small vessel named the *Janet* (not the *Jane*) of about 40 or 50 tons burthen, belonging to this port.

After the capture of the *Swallow*, she took her station off the Sand Heads, in the hope of intercepting the *Hunter* from Penang.—It was so late in the evening, when she first saw the *Modeste*, that she mistook her for the vessel she was in quest of. Under this impression she bore down boldly, and came close up to her, before she discovered her error.—It was now midnight. She instantly put about, set every sail, and threw overboard seven of her guns, together with her boats, hen-coops, and every thing moveable upon her decks. The result is already stated.

The crew of the *Jena*, at the time she came into action, is said to have amounted to 150 men. Her loss in killed and wounded is represented by her officers to have been but trivial,—not exceeding

ing four or five—Mr. Donovan, the master of the *Modeste*, who fell towards the close of the action, was killed by a grape-shot, which entered his forehead, while standing on the quarter-deck. The only other person on board who received any injury, was a seaman on the main-top,—slightly wounded.

At the time the *Jena* struck, only 13 of her guns remained, the others having been thrown overboard. The dispatches, with which she was charged, were likewise sunk, previous to her surrender. The English prisoners found on board the *Jena*, all bear witness to the kindness and attention, which they had uniformly experienced from the captain and officers.

The *Jena* was expected off town, in the course of yesterday afternoon, her crew were debarking from the *Modeste* on Sunday, in order to be conveyed to town. She is a fine new vessel, and was built in France, by permission of the French government, for the purpose of cruising in these seas, under an express stipulation, that, after three years, *Mons Surcouf* should deliver her over to the government of the Isle of France. It is hoped and believed, that she will be deemed a valuable acquisition to his Majesty's navy.

The *Swallow* was in company with the *Jena*, at the time she encountered the *Modeste*, but, on perceiving the predicament into which the *Jena* had brought herself, she immediately made all sail and effected her escape. The *Swallow* is an old privateer, and accounted a prime sailer.

According to the report of the officers of the *Swallow*, who have arrived here in the *Jena*, the *Triton* of this port had been wrecked, on a Sand Bank, in the Straits of

Malacca. The crew are supposed to have been saved, and endeavours had been used, by some small vessels from Penang, to recover part of the cargo, but without effect.

The *Triton* quitted her Calcutta pilot on the 23d of August, with a valuable cargo of cotton and opium for China. She is insured in Calcutta for rs. 4,60,000, besides rs. 50,000, at Madras; making altogether an insurance of rs. 5,10,000.

The exact amount of the loss, sustained by the Insurance Offices of Calcutta, from the capture of the *Peggy*, is rs. 4,85,000. And the whole aggregate amount of the late losses, supposing that of the *Triton* to be authentic, will be rs. 11,50,000. Of this sum, rs. 3,57,000 fall upon one office.

The French frigate, *Caroline*, was off Ganjam on the 22d ultimo. One of his Majesty's vessels had been in Vizagapatam Roads, two days before, and, it was hoped, might succeed in intercepting her.

The commercial accounts lately received from the eastward by the arrival of the *Experiment* from Bencoolen, are stated to be considerably more favourable than preceding advices anticipated. Opium had experienced a rise from 900 dollars to 1050 dollars per chest; and piece goods had become saleable at a material advance.

In consequence of the great demand for pepper at the northern ports of Sumatra, the price of that commodity had been enhanced, from 5 dollars to 9 dollars per pecul.

One of the principal houses of agency in Calcutta, has lately sustained a loss of from 4 to 5000 rupees, by the repeated acceptance

ance of drafts, forged by a native Soncar in the name of his master — The culprit has absconded.

Oct 24 Intelligence has been received, confirmatory of the loss of the *Timon*.

Fort William, Oct 25 The right hon the governor-general in council, having received, from the resident at Lucknow, intelligence of the melancholy event or the death of her highness the Nabaub i Auleah, the mother of his highness the vizier, is pleased to direct, that as a testimony of public regret at her highness's decease, and of respect to his highness the vizier, minute guns to the number of 70, answering to the age of the deceased, be fired from the ramparts of Fort William, at noon this day, with the flag half-mast high.

Oct 26 On Friday last, the 21st court a court of vice admiralty was held at the new court house, pursuant to adjournment made on the 10th ultimo, for the dispatch of such business as might be brought before it.

As the commission, under the seal of the high court of admiralty of England, authorizes the commissary of the vice admiralty court of Bengal, to appoint a deputy commissary of the said court, that clause of the commission being read by the register, Sir Henry Russel said, "Under the authority thus vested in me, I have appointed Sir John Royds, who has been pleased to signify his willingness to accept the same to be deputy commissary of this court of vice admiralty." The appointment, under the hand of Sir Henry Russel and under the seal of the court, being then read, Sir John Royds took the oaths of office, the officers of court and the audi-

encstanding, during the ceremony, as a mark of respect.

Mr Advocate-general Smith, who was absent on account of indisposition, on the opening of the court, on the 10th ultimo, was now sworn, and enrolled as an advocate of the court of vice admiralty.

Sir Henry Russel then delivered a short address from the bench. He did not intend, said his Lordship, to make on this occasion a speech of inauguration, but one much more humble and useful, which had for its object briefly to explain the practice and course of proceedings in courts of admiralty which were entirely new to himself, to the advocates, to the officers, and to them all. He had himself, since his appointment, assiduously laboured to gain information from all the sources within his reach — Sir Henry in his opening touched upon the national importance of courts of admiralty. It was by the just proceedings in these courts that England while she was eminently great and warlike, maintained at the same time her high character as a just and honourable nation. It was the regular proceedings in courts of prize that chiefly distinguished fair and honourable warfare from acts of piracy. The judicial investigation of prize property was indispensably necessary and just to all the parties interested. Till the claims that might be set up against the property, were investigated, it was impossible to say to whom it was to be adjudged. The crown might have claims upon it, the subjects of the crown, or the subjects of a foreign state, might also have just claims to it, which were all necessary to be investigated before it could be adjudged to belong

belong to the captors. The court was open to any individual, who conceived that he had a claim to the property, and it was on these obvious grounds, that no species of prize property wherever or under whatever circumstances captured, could be considered as belonging to the captor, till duly condemned in a court of prize.

Having enlarged on these topics at some length, Sir Henry Russell proceeded to offer a few observations on the duties of the officers of vice admiralty courts, and first touching the duty of the marshal. Sir Henry here remarked, that he had, at first, doubted whether he had authority to appoint a marshal, as the commission did not convey or rather did not express such authority, his doubts however had been removed, not only by the instructions he had received from the commission, from the lords of the admiralty, in which the office of marshal is particularly mentioned, and some of his duties pointed out, but also by referring to such documents and information as he had been able to obtain, and the practice of other courts on the subject. In 1734, a commission had been appointed in England, to ascertain and to report among other things, as to what officers did belong to the high court of admiralty, and in the report of the commissioners, the offices of marshal and register are expressly mentioned, and their duties pointed out, and the practice of these officers has ever since been regulated by their report. In the several courts established at the Cape, at Ceylon, at Bombay, and at Madras, marshals have been appointed, and therefore he considered it proper to appoint one in this court.

It was the duty of the marshal,

either personally or by a sufficient deputy, to go on board every prize brought within the jurisdiction of the court, and to take charge of the vessel, and all the property on board. By the term charge, as here used, was to be considered no more than that the marshal should take such charge of the prize ship and cargo, as effectually to prevent any part of the property on board from being embezzled or lost. He was to put seals upon the hatches, and to take such other precautions as might appear necessary for the safety of the property, and of which he was to continue in charge, until an interlocutory decree, or final adjudication, was pronounced by the court.

In the port of London, it had been the uniform practice, for the marshal to take charge of all prizes entering the river Thames. In the out-ports, where there was no marshal, two of the commissioners and the naval officer of the port, take charge in the same way, as where there is a marshal. If any part of the cargo was of a perishable nature or likely to receive injury, by being kept on board, it became the duty of the marshal to make a report on the subject, to the court, for their instructions. Sir Henry continued, and laid down the further duties of the marshal conformably to the practice in England. The same practice was followed at the Cape, and also at Bombay, and Ceylon, the only two courts of admiralty, which in this country, had yet been set in action. The court of vice admiralty, lately established at Madras, had not, he believed, yet commenced proceedings.

An erroneous idea had gone abroad that the captor, having brought his prize within the jurisdiction

diction of an admiralty court, had the choice of proceeding against the prize in that court or not, and if he the captor, thought fit, he might carry the prize vessel and cargo, from the jurisdiction of one court to another, a position which the learned judge positively denied. Whenever a prize came within the jurisdiction of a court of admiralty, she was no longer under the control of the captor, and proceedings were to be entered against her, in that court, without delay. The act of parliament had limited the time, within which these proceedings were to commence, to five days, and Sir William Scott, had further limited the period to forty-eight hours. It would be unreasonable in the extreme, were the captor to be at liberty to carry the property from one jurisdiction to another. He was not the sole party concerned;—under the condemnation of the property, he was only a sharer—his officers, his crew, the crown, and the subjects of the crown might be claimants; and until the property were regularly condemned, not a tittle of it could be held as belonging to the captor. Would it be fair or just, that the interest of all the other parties concerned, should be put to risk by the property being carried hence to Madras, thence to Bombay, and probably from thence to England? If so, where was it to stop? As far as respected himself, his duty should be discharged, and he would take care that, whatever prize property was brought within the jurisdiction of this court, should be here adjudged.

Sir Henry went on to state the duty of captors, with respect to the papers and property, found on board captured vessels, and having adverted to various particulars, re-

specting prize property, and the practice of the court, he remarked that to the directions he had laid down, he should strictly conform, till he was corrected by some higher authority, and at the same time he expected that they would, in like manner, be complied with by those to whom they related.

In adverting to the standing interrogatories on the part of the crown, Sir Henry Russel remarked, that it was strictly enjoined that three or more, but at the least three of the officers of the prize vessel, should give their answers to these interrogatories. Some delay no doubt was thereby occasioned, but that was amply counterbalanced, by the effect thence resulting, in eliciting the truth, as had been manifested in the practice of Sir William Scott, who in collating and comparing the answers of the different parties, had in many cases got at the truth, which otherwise would have been perhaps impossible, and here Sir Henry offered a high and deserved compliment to the present judge of the high court of admiralty, whose ingenuity and acuteness, he remarked, had never been surpassed.

In conclusion, the learned judge declared that with respect to any errors or informalities that had arisen previously or subsequently to the institution of the court, he was fully disposed to give them as indulgent consideration as he could do, legally. The business was new, it was strange to them all, and therefore much allowance was due, and, he believed, that he should stand in need of his share of the indulgence. He repeated that he should not be easily stopped, from taking the most lenient and favourable view of whatever informalities or mistakes had occurred, under

under a fair and honourable intention; in all such cases he would be as indulgent as he could be legally. further he could not go. If any particular instances claimed an indulgence beyond what it was in his power to give, he would be disposed to make them the subject of a special report to the lords of the admiralty.

There being no business in sufficient forwardness to proceed upon, the court was adjourned till Saturday next the 29th instant.

Ralph Uvedale and Philip Brady, Esqrs have been appointed commissioners for taking examina-

tions in the court of vice admiralty.

Oct. 30. Captain C. Batty, H. M 221 regiment, who came out from England on the Harriet; just after that ship anchored at Diamond Harbour on the evening of Thursday se'nnight, while standing at the gangway, speaking to a man in a country boat alongside the ship, unfortunately slipped overboard, and was seen no more! although two or three gentlemen were standing close to the deceased, at the very instant he fell; who observed that his head struck against the ship's side, as he went down.

Occurrences for NOVEMBER.

Nov 1st ---This being the anniversary of the battle of Laswaie, and the same being appointed for the ceremony of the presentation of the honorary colours, to the 1st and 2d battalions of the 15th regiment of Native infantry, now at Barrackpore, the regiment was drawn up at an early hour, for the reception of the right honourable Lord Minto, who did the corps the honour to present the colours, at the head of the grenadier companies, previously advanced to receive them. Upon presenting the colours to lieutenant-colonel Burrell, his lordship delivered the following eloquent and animated address, equally appropriate to the occasion as honourable to the corps.

"COLONEL BURRELL,---It is not unusual on occasions like the present, to deliver a few thoughts adapted to the nature of the ceremony. In a common case, there-

fore, I might, perhaps without impropriety, have prefaced this solemnity with observing, that the ensigns of a military body are not to be regarded as mere decorations to catch the notice of the vulgar, but that they have ever been esteemed by good soldiers, the emblems, and the pledges, of those virtues and eminent endowments, which form the best and indeed the peculiar ornaments of the military character. I might have said, that whoever casts his eye on his colours, is reminded of loyalty to his sovereign and his country; fidelity to the government he serves, obedience to command; valour in the field, constancy under fatigue, privation, and hardship. That he, alone, maintains the honour of his colours, who lives and dies without reproach; and that when a soldier has pronounced the vow never to abandon them, but to fall in their defence,

defence, he has promised, in other words, that under all circumstances, and in every extremity, he will prefer duty to life itself.

"Such topics, Sir, as these, might have suited other ceremonies of a similar nature. But I am sensible that I should depreciate the true character of the present proceeding, and I feel that I should degrade the high honours which I have the happiness to present to you, in the name of your country, if I thought it necessary to expatiate on the duties and virtues of military life, addressing myself, as I now am, to men, who have afforded to their country and the world, so many clear and signal proofs of every quality that can illustrate their honorable profession.

"These colours are delivered, therefore, to your care, not as pledges of future desert, they are, at once, the reward of services already performed, and the memorial of glory already acquired --- They display, indeed, the title and insignia of one great and splendid victory, in the celebration of which, we find ourselves, at this very hour, commemorating another triumph, in which also, you were partakers. It might, indeed, have been difficult to select a day for this ceremony, which would not have recalled some one of the many distinguished actions, which have entitled you to share the fame of your renowned and lamented commander, and which would not have reminded us, that, as his revered name is stamped indelibly on your banners, so you were, indeed, associated with him, in all the dangers, exertions, and successes of his glorious campaigns.

"I beg you, Sir, to express to the 15th regiment, the cordial

satisfaction I experience, in bearing with my own hand, this public testimony of the high regard and esteem I entertain for this distinguished body of men, and I request you to convey, above all, the assurances of my firm confidence, that colours obtained at Delhi, and presented on the anniversary of Laswarie, can only acquire new lustre in their hands."

Lieutenant-colonel Burrell replied to his lordship's address in the following words

"My Lord,---In the name of the 15th Native regiment, I humbly intreat your lordship to accept our unfeigned and respectful thanks, for the high honour your lordship has had the goodness to confer on us, by presenting these honorary colours, and for the favourable terms in which you have been pleased to mention our endeavours in the service of our country.---These colours, my lord, we receive with gratitude, and will preserve with honour, or fall in their defence."

The colours were now escorted to their respective battalions, with the "*Grenadier's March*" by the drums and fifes of the two companies, and were received by the regiment with presented arms, and music playing "*God save the King*."

The two battalions were then wheeled back into open column of companies, marched in review, past his lordship, halted, wheeled into line, and afterwards formed into three sides of a square, when the substance of his lordship's speech having been explained to the men, they were again formed into line, fired three volleys at open order, drums beating "*Point of War*."

Thus ended the military ceremony of the day. At about half past

past 8 o'clock, the officers of the regiment, together with a numerous company of gentlemen, both civil and military, who had witnessed the scene, partook of an elegant breakfast, given by Lord Minto, at the government house in the park.

In the evening, his lordship honored the regiment with his company at dinner, in the theatre, which was handsomely fitted up for the occasion.

On the evening of the 2d, a nautch was given to the Native officers and sepoy's of the regiment, which his lordship and several ladies honoured with their presence.

Nov 2d --- "Died lately, at Snd hano, Mr Manoel Cardoza, an officer in the service of her Highness Begum Sumroo. His death is much regretted by his numerous friends and relations, and will be particularly felt by the indigent class of people residing in his neighbourhood, to whom he was a generous benefactor.

"This venerable old man, was by birth a Portuguese, and died at the advanced age of one hundred and five years. He was of a strong constitution, hale and robust to the last. He had not lost a single tooth, his sight, however, had become somewhat defective latterly. He continued in good health and spirits till the hour in which he breathed his last. His surviving offspring are as follow:

"Three children, the eldest 64 years,

Two Grand children,

Three Great-grand children,

Three Great-great-grand ditto "

Nov. 10 --- The honourable company's ship *Travers*, was unfortunately

lost on the 7th current, off Diamond Island. While going at the rate of eight knots an hour, she struck on a rock below the surface of the water, and very soon went down*. Sixteen seamen unfortunately perished, but the rest of the crew, together with the officers and all the passengers, were saved, and arrived on the *Eai Spencer* at Kedgearee. The packets and cargo of the ship are entirely lost.

Nov 23d --- On Friday forenoon, his excellency Vice Admiral Sir Edward Pellew, bart commander in chief of his Majesty's naval forces in India, arrived off Calcutta, in a Pilot schooner, from Saugur roads. Between 12 and 1 o'clock, his excellency landed at Champaul Ghat, accompanied by Mrs Pownel Pellew, captains Pellew, Cochrane and Stopford, and the other officers of his excellency's family, and suite. The body guard and the government state carriages were drawn up at the Ghat for his reception, and his landing was notified by a salute of 17 guns from the ramparts of the Fort. Having proceeded in the state coach, to the government house, his excellency was there received by the right honourable the governor general, the members of council, &c.

The Pilot schooner, on which Sir Edward arrived, wore his excellency's flag from Saugur roads to Calcutta, where it was shifted on board his Majesty's sloop of war *Rattlesnake*, the present naval headquarters in India.

Nov 23 --- On Monday last was launched from the dock-yard of Mr. Matthew Smith, at Howrah, an excellent

* See Appendix.

excellent merchantman of the burthen of 500 tons, she is called the "Beemoolah."

On Wednesday afternoon was launched from the yard of the same builder, on this side of the river, a very beautiful ship, constructed upon the model of a sloop of war, and said to be peculiarly adapted for offence and defence, her burthen is 440 tons, and her name "Emma," she glided into her destined element, amidst the admiration and applause of a numerous assemblage of spectators.

It is highly satisfactory to reflect on the rapid and progressive improvement which the noble and important art of ship building has attained at this port, within the period of a few years.

The first attempt of ship-building at Calcutta, was made by Mr Page Reble in the year 1768, who effected the completion of a ship, at the Bankshall, of about 500 tons burthen.

Since the year 1801, there have been launched in the port of Calcutta, seventy-five ships and brigs, whose tonnage in the aggregate amount to thirty-three thousand eight hundred and thirty-nine tons.

VICE ADMIRALTY COURT

Nov 26, 1808. — *Before the Hon. Sir Henry Russel, Commissary.*

This day the court met, pursuant to adjournment.

Mr. Smith, the advocate general, moved for a rule to shew cause, why the marshal of the court of vice-admiralty should not be directed to release the ship *Baretto*, now under detention in this river. Mr. Smith stated, from the affidavit of the owner, captain Macartey, that the *Baretto* had been captured, in the month of July, 1806, by a detach-

ment of his Majesty's ships, cruising in the Eastern seas, under the command of captain Elphinstone, that she was, at that time, a vessel in the Dutch East India Company's service, was named the *Batavia*, and, at the period of her capture, was on a voyage, in company with two other ships taken at the same time, from the Moluccas to Java; that, when she was brought into Penang by captain Elphinstone, she was in so disabled a state, as to preclude the possibility of sending her for adjudication to any port in India, where a prize court was then established, that she had consequently been put up to sale on account of the capture, had been purchased by a Mr Douglas, and afterwards resold by him to the present owner, captain Macartey, for the sum of 10,500 dollars, which sum, in the actual condition of the vessel, was deemed a fair and adequate price, that captain Macartey, at the time of purchase, or immediately afterwards, had applied to Sir Thomas Troubridge, then commander in chief of his Majesty's squadron upon that station, to know what steps had been taken towards the adjudication of the said vessel, and that he had received the most satisfactory assurances, that the ship's papers, together with the examinations before the magistrate of Penang and all other necessary documents, had been forwarded to the high court of admiralty in England, where in due course the regular proceedings would be instituted, that, upon the faith of these assurances, captain Macartey had laid out the sum of about 4000 dollars, in the repairs, which were absolutely necessary to enable the vessel to proceed to Calcutta, that on her arrival at Calcutta, he had expended

expended the further sum of 30,000 rupees in her equipment, that he had borrowed the money for this purpose, from Messrs Baretto and Company, on a mortgage of the ship to that house, that this mortgage still remains unredeemed, and that, what with these, and what with subsequent disbursements, the actual cost of the vessel, as incurred by captain Macartey, had accumulated to upwards of 90,000 rupees, or about three times the sum originally paid to the captors. Mr Smith, then proceeded to state that, from the period of her sale until the present time, the Baretto had sailed from port to port in India, without let or question, and that she had now been seized by the deputy marshal of the vice admiralty court, by the mere authority of his office, without any warrant from the court. There were no claimants to her, nor from the nature of the case, could any claimant be expected to appear. Situated as captain Macartey was, it was entirely out of his power to produce the documents necessary for her condemnation. The only title which he had, was the bill of sale, granted by the captors. The other documents had never been in his possession. They had been forwarded to England, for the purpose of appearing in evidence before the high court of admiralty; and, though he certainly had received no direct information with respect to the consequent proceedings, he had the strongest presumptive grounds for believing, that the case had in due course come under the cognizance of that court, and that the ship had actually there undergone a regular condemnation. It so happened, that advices had been received in Calcutta, of the adjudication of another vessel, the Victoria, which had been captured

in company with the Batavia, and whose papers had been transmitted to England, at the same time, and under the custody of the same person. This fact was expressly mentioned in a letter received by the house of Hogue, Davidson, and Co. from one of their partners in England, which letter he should now read. [Here Mr Smith read the letter.] The Victoria was formerly the Lucy Mary of this port, and had been the subject of a suit in the court of vice admiralty at Bombay. Of the three prizes, she was the only one to which there were any claimants. If she was condemned therefore in the court at home, it was reasonable to infer, that the two others were condemned at the same time. Mr Smith here declared, that nothing was further from his intention, than to question in any manner the power or right of his majesty's commissary, to grant monitions for the detention of prize vessels or goods, not only in cases where claims are actually brought before him, but in every case, where it might come to his knowledge that an uncondemned prize had arrived within his jurisdiction. He was ready moreover to admit, that, in many instances, it was the commissary's duty to take cognizance of such cases, by mere virtue of his office, without waiting for any regular information. But he relied upon the declaration, which his lordship had made at the opening of this court, that as far as the law would permit him, he should be inclined to make every fair and indulgent allowance for such irregularities, as through the absence of prize jurisdiction, had become general or habitual in this country, and to refrain from any very rigid retrospection of cases, where there was no evidence of evil intention;

intention; and he contended, that it was not imperative upon a court of vice admiralty to grant a monition in every instance, where application was made to that effect. Mr. Smith here cited various cases in which the judge had exercised a discretionary power of refusing the monition, where there appeared to him to be no proper grounds for the application; and more particularly where he had been actuated in his refusal, by a tenderness for property, that had previously undergone a conversion by fair sale. In one case of this description, Sir William Scott, had directed the claimant to bring his action in the first instance against the captors, instead of bringing it against the goods. Seeing then that the court was vested with such a discretion, there could hardly be imagined a case which had a stronger claim upon its lenity than the present. That it was an irregular case could not be denied. The ship had been sold without adjudication, and was still in the situation of an uncondemned vessel. But, on the other hand, it appeared in affidavit, that she was brought into Penang completely dismasted and disabled, and could not have been equipped for proceeding to Ceylon, (at that time the nearest place of prize jurisdiction in India,) but at an expense equal to more than half her value, that the charge and waste attending her detention at Penang, until sentence of condemnation should be received from England, would be equivalent to the total annihilation of the property, and that the captors therefore had no alternative but to sell her. On the part of captain Macartey, nothing had been wanting. He had applied to admiral Troubridge, for information and authority, and finding the transac-

tion sanctioned by an officer so high in command and responsibility, he naturally concluded that every thing was regular. There existed moreover the strongest presumptive evidence, that the requisite legal proceedings had actually been instituted. A bonâ-fide letter had been produced in court, which noticed the condemnation of another ship, taken at the same time, and under the same circumstances with the Batavia. As the documents relating to all the three vessels had been transmitted to England by the same conveyance, it was of course to be inferred, that they had all come at the same time under the cognizance of the high court of admiralty. According to the very principle, by which the seizure of this vessel was now defended, it must have been the duty of that court, when the case of the Victoria came before it, to ascertain what had been done with her consorts; and it would be a gross impeachment of the vigilance of the eminent judge who presided there, to suppose that they escaped his notice. In addition to all these circumstances, the peculiar hardship of captain Macartey's present situation ought to be taken into account. He had vested capital in his purchase, equal to twice the amount of the purchase money; that capital was now inseparable from the subject matter in question, and a great proportion of it had been borrowed on mortgage. In the mean time, the expenses incurred by waste and demurrage in this river, was utterly ruinous; and was felt the more grievously, as an opportunity now offered of employing the vessel on freight or disposing of her by sale, which, if the detention were continued, would in all probability be lost. Mr. Smith then concluded, by expressing his doubts

doubts as to the legality of the deputy marshal's conduct, in taking possession of a vessel under such circumstances, without first obtaining a warrant to that effect from the court. At the same time, he declared, that he had no wish to take advantage of any irregularity in the proceedings. He conceived the court could have no difficulty in acceding to his motion upon the fair and plain merits of the case.

Mr Strettell, on the part of the crown, rose to oppose the motion. He began by observing that the reputation and honour of Great Britain, and more especially of the British navy, were deeply implicated in the question before the court. The question was simply this, whether the naval officer who brought a prize into port, was also to have the power of condemning that prize. Mr Strettell here expatiated on the peculiar duties and functions of a court of admiralty. No captor was at liberty to break bulk, or in any way touch or commute the property which he had taken, until he had first brought it to adjudication. It was not enough, that a captured vessel was conducted into port. The prize act required, that she should be brought into a convenient port, and certainly a port, so remote from the prize jurisdiction, before which the case was to be tried, as Penang is from Great Britain, could not come under that denomination. Now the courts of admiralty were established all over India, it was not to be endured, that a naval officer should have it in his power to compel those who might have just claims against his prize, to follow him to a tribunal on the other side of the globe. Mr. Strettell proceeded to assert the legal right, which, (under strict responsibility indeed,) he

conceived the marshal of a court of admiralty, in the fullest sense to possess, of seizing and detaining all prize vessels, which had undergone a regular condemnation. He contended that this right had been properly exercised in the present instance, and quoted a decision of the high court of admiralty in proof of his opinion. He professed that under all the circumstances of the case, he should have been inclined to treat captain Macartey with lenity, and perhaps to have consented to the release of his ship, upon bail, had he come into the court in that humble and suppliant manner, which became him. But as he had thought proper to bring the question forward in such a shape,—openly to avow the illegality of the transaction, at the same time that he claimed the release of his ship as an act of justice, Mr Strettell conceived it to be his duty to resist the motion.

Mr Smith, in reply, recapitulated the greater part of his former arguments, which were exclusively founded in the peculiar circumstances of the case and had no relevance whatever to the general and undisputed doctrines of prize law. He was surprized to hear his client charged with contumacy, because he had candidly come forward and told the whole truth to the court, instead of giving in a garbled statement of his case. He had yet three days left to put in his answer to the motion, and Mr. Smith was not aware of any circumstance in the present motion, which evinced the smallest degree of disrespect towards the court. As to the case cited by his learned brother, in proof of the power of the marshal, it was a case of enemy's good, imported on account of an enemy into the river Thames, and consequently

consequently liable to seizure, not only by a marshal of the court of admiralty, but any one of his Majesty's subjects. It bore no analogy whatever therefore to the case now in question.

Sir Hemy Rolfe then delivered his judgment, in terms nearly to the following effect. When I took my seat as commissary upon this bench, I declared my intention of abstaining as far as I legally could, from any severe retrospect of the many irregularities, in the disposition of captured property, which, in consequence of the absence of judicial controul, had become so frequent in this part of the world—Assuredly, I will not depart from that declaration. *As far as I legally can*, I am ready to treat such cases with indulgence. Not however a single jot farther. The present case is *prima facie* a fit subject for very serious investigation. The ship is avowedly an uncondemned prize; and I take this opportunity of declaring my firm determination, that no uncondemned prize, which may come within the jurisdiction of this court, shall ever be allowed to pass out of it, until we shall have had some dealings with her. What the nature of those dealings may be will partly depend upon the circumstances of the case. In the instance now before the court, I am ready to admit, that there is no appearance of any illicit or fraudulent motives in the parties concerned. At the same time, I am by no means satisfied, that the ship could not have been brought to adjudication in this country. When she arrived at Penang, she was without masts. Might she not have been equipped with jury-masts, and sent over to Ceylon? There is no evidence here, to convince me that she might not. Instead of that, her papers

are sent to England and, in the mean time, she is put up to sale at the risk of the purchaser. It is somewhat extraordinary, that, after an interval of two years, nothing certain should be known of the proceedings that have been held upon her in England and however much I may be disposed to treat the case with leniency, I cannot omit to notice the impropriety and illegality of thus bringing an uncondemned ship into the market. In this, as in every other such instance, the badness of the title must have been compensated by the lowness of the price. The rights of the crown may thus have been sacrificed to the private convenience of the captor while the interests of all persons having claims on the vessel, if any such there were, must have been exposed to the most indefinite hazards. Such irregularities have been too frequent in India. I need not say, with what mischiefs they are fraught, or in what difficulties they are apt to involve all parties who are concerned in them. It was chiefly from a conviction of their general prevalence and evil tendency, that it was thought proper to constitute this court, and the other courts of vice-admiralty in India, and I have received the most positive instructions, and injunctions, without loss of time, to investigate and correct them. As to the right of the marshal to take possession of a prize vessel, without any warrant from the court, I apprehend there can be no doubt. For any vexatious detention, or for any detention obviously made with mercenary views, the marshal is strictly responsible, and will be called to a severe account by this court. But, on the other hand, in the vigilant exercise of his lawful functions, he is equally entitled to

our

our protection and applause. In the present instance he did his duty in detaining the ship, in as much as she is an uncondemned prize, and, for that reason, liable to be seized, not only by the marshal of this court, but by the officer of the nature of the jurisdiction, which a court of admiralty is bound to exercise over uncondemned prizes. I shall read to you the opinion delivered by Sir James Mackintosh, soon after the opening of the admiralty court at Bombay. I read it, it is true, from a newspaper, where perhaps it may not be given with perfect accuracy. I fully subscribe however to all the sentiments which it conveys, if you please, you may consider them as my own. [Here Sir Henry read an extract from the speech of Sir James Mackintosh, on the occasion alluded to.] These are the sentiments of a lawyer, who has been more versant than most of us in the practice of the admiralty courts. They entirely correspond with mine, though I perhaps could not have expressed them so well. Upon the whole view of the present case, I am inclined to adopt a middle course. I will treat it with as little harshness as the law will permit. At the same time, I can upon no account consent to the unconditional release which is prayed for. I conceive that I exercise the utmost lenity which I am justified in exercising, when I direct the vessel to be restored to the plaintiff, upon his putting in bail to the amount of the original purchase money, an amount greatly below the present value of the ship. As the detention was perfectly regular and legal, I likewise conceive it equitable, that the marshal's expenses should be paid. With this proviso therefore I adjudge the vessel to be released, Captain

Macauley giving security to the amount of 21,000 rupees, that he will abide the decision of the High Court of Admiralty in the case of the *Bitavia*, should such decision have taken place, or if otherwise, that he will abide the decision of this court."

The court then proceeded to adjudication, in the case of the Danish ship *Maria*, taken by his Majesty's ship *Modeste*, captain, the honourable George Elliot, the harbour of Serampore. The examination being read, and no claims appearing, either on the part of individuals or of the crown, she was condemned as a prize to the captors.

The next case was that of the French corvette *Jen*, likewise captured by his Majesty's ship *Modeste*. The court first passed sentence of condemnation on the ship, and then proceeded to hear various claims, preferred by individuals, to a quantity of dollars found on board, at the time of her surrender, which had been taken out of the ship *Swallow*, whom she had intercepted on her passage from Penang to Calcutta.

The first claim was that of Mark and Anthony Lackeistin, to a box shipped from Penang, containing the value of 4,000 dollars, in dollars and gold dust, the bill of lading, and affidavit of one of the owners was produced, in evidence of the identity of the box claimed.

Mr Stretzell, on the part of the captors, contended that the evidence of identity was not sufficient,—inasmuch, as it only went to prove, that a box of that description had been shipped at Penang, but did not, by any means, establish, that the same dollars and gold-dust had been conveyed, in the same box, from the *Swallow*.

to the *Jena*, and had arrived in the last vessel at Calcutta. Besides, the bill of lading did not sufficiently distinguish between the value of the dollars and that of the gold-dust, and the only box at all answering the description, was marked with the letters M A L instead of M L as specified in the bill. Mr Stretzell further expressed his doubts, as to how far the case of goods transhipped into an enemy's vessel could be considered as coming under the provisions of the prize act. The act, in ordaining the restoration of recaptured goods to the owners, seemed to identify the goods with the ship by using the phrase "ship and goods," instead of "ship or goods." And when it was considered that the rights of posthumum did not extend to goods by the Roman law, which, on all questions touching the *jus gentium* was the code then observed by legislators, it might truly be argued, that the phrase of the act had not been accidentally modified in that manner.

Mr Lewin contended for the claimants, that the identity of the box was as completely established as the circumstances of the case would admit. The whole of the treasure, with which the *Swallow* was laden, had been conveyed on board the *Jena*, and there was, therefore, the strongest *prima facie* presumption, that it must have been conveyed in the *Jena* to Calcutta. If the opposite party had any doubts put upon the subject, he conceived that the onus probandi rested with them.

Sir Henry Russell "Upon the point of law in this case, I conceive there cannot be the smallest doubt. None such, at least, exists in my mind. The spirit and pur-

pose of the act is obvious. It is founded on this obvious principle, that the king does not make war upon his own subjects, and that their property, when found in the possession of an enemy, ought, therefore, to be restored to them. The evidence adduced in the present case appears to be, in some points, imperfect, and if prayed for, I shall order further evidence to be given in. I think that the letter which covered the bill of lading, ought to be produced in court, and likewise, perhaps, some specification of the weight of dollars and of the gold-dust, distinguished from each other. As to the difference between the marks on the box and those specified in the bill of lading, (a difference, which is common to this, with almost all the other boxes of treasure, found in the ship) it certainly is a very unaccountable circumstance. I entertain too high a respect for the character of British officers, to admit a suspicion of marks having being altered subsequent to the capture of the *Jena*, and as the Frenchmen would naturally be anxious to preserve every thing in its proper state for the cognizance of their prize court at the Mauritius, it is not easy to discover any motives which could have induced them to make such an alteration.

Mr Stretzell stating that further evidence was prayed for, the captors being apprehensive, that the claims preferred would exceed the actual amount of the treasure found on board the *Jena*, the court accordingly directed, that further evidence should be given in.

The next claim was on behalf of Messrs Burette and Co. to a box containing 3,000 dollars. In this case the box was identified, and its transshipment from the *Swallow* to

to the *Jena* fully substantiated by the evidence of Mr Dunbar, a passenger on the *Swallow*. The claims of Downie and Co to a box of 4,000 dollars, of Faulie, Gilmore, and Co to one of 6,000, of Alexander and Co. to one of 1,500, and of Colvins and Bazett to one of 1,700, were likewise substantiated in a similar manner. In all these cases, the court adjudged restitution to the claimants, costs being, in the first instance, deducted, and then a salvage of one-eighth to the captors.

In the case of an Armenian merchant at Madras, who claimed a box of 1,600 dollars, further proof was required, as also in that of a native, on whose behalf Downie and Co. had preferred a claim of 2300 dollars, the box described having been found to contain the larger sum of 2,700 dollars. Mr Dickens attempted to shew that the excess arose from several smaller sums,

which he was likewise instructed to claim, having been added to the contents of the box. It appeared, however, that the addition of those sums would have swelled the amount to 250 dollars above the actual amount.

In the course of these discussions, it turned out, that the apparent change of the letters upon different boxes of dollars had arisen from the circumstance of people of the *Jena* having torn off the gunny bags which enveloped them. Mr Strettell intimated an intention on the part of the captors, to appeal in all the cases, on the point of law.

On the motion of Mr Smith, another uncondemned ship, the *Mary*, formerly the *Adele*, and now the property of captain Allen, was released, on the same terms as the *Baretto*.

The court adjourned to the 10th proximo.

Occurrences for DECEMBER.

Dec 1.—The following is a detailed account of the rencontre between the fleet of China ships from this port, and the French armed brig *Coureur*, near Pedro Branca. It is given in a letter from the commander of the *Baring*, to a gentleman of this city :—

“ Canton, Aug. 15, 1808.

“ My dear Sir,—In my letter from Penang, I told you of my intention to sail in company with the other two opium ships, Admiral Drury and Margaret, and the way to China. When we got to Malacca, I, with the commanders of the above ships, resolved to wait, and sail in company with four Bombay ships, we met there bound to Chi-

na, and accordingly put ourselves under the orders of captain Colin Gibb, of the ship *David Scott*, who was the commodore of those ships; and although I was aware of the superiority of the *Baring*'s sailing, and that consequently it would be a probable detention of perhaps two or three days in the passage, I thought it no object, compared to her safe arrival at the port in view; nor have I reason to regret, for had I sailed a single ship from Malacca, I should now, more than probable, be at Batavia, or the Isle of France. We had a very quick passage through the Straits, and anchored, on the 7th of July, at night, about six leagues to the westward of Pen-

d.o

dro Branca. Just as we came to, I saw a vessel at anchor, (about five miles to the eastward of us) with my night glass, being a fine moon-light night. I amused myself with observing his motions, and I saw him get under weigh about midnight, and stand out of the Straits, which caused some suspicion in my mind, of his intentions. Nothing was seen of him, till next day about ten o'clock, when we observed him under easy sail, and at noon he anchored. At one P. M. we all passed him within five miles, when I saw distinctly she was an armed brig, mounting 14 guns, her mast raking very much aft, a long jib-boom, with two jibs and a very large main-boom. She was deep waisted, and painted yellow on the poits,—streak fore and aft, taking in the galleries as it went aft,—with a white head,—her stern was painted black,—she is very low aft, and high forward, coppered up to the bands. As soon as we were all past him, and that he observed us well, he got under weigh, and followed us, evidently with an intention to cut off the rear ships, and, were it not for the cool and determined conduct of Captain Gibb, I am well convinced he would have succeeded in taking at least two of us, if not the whole. No man could have behaved better, or shewed more nautical skill than Captain Gibb did, on this occasion, and I regret extremely that my pen is unable to bestow on him the praise he merits. The thing speaks for itself, when I tell you, that on Gibb's hauling out of the fleet to chase this rogue (with the signal up for us all to lay too,) he hauled his wind and made off. Gibb chased him till sun-set, and then joined the fleet,—when we made sail in

close order, and saw no more of him.

"We arrived at Macao on the 19th of July, at midnight, and landed all the opium in two days. Duty weather prevented us from making more dispatch. I have delivered all the cargo, and for further particulars refer you to the agents.

"I am, my dear Sir,

"Your faithful servant,

"BENJ. FERGUSSON."

General orders, by the commander-in-chief, head quarters, camp Merat, 9th December, 1808.

The commander-in-chief, on occasion of reviewing the 6th regt. of Native cavalry, and the 2d battalion 10th regiment of Native infantry, in brigade, under the command of lieutenant-colonel commandant Marshall, yesterday evening, deems it only necessary to declare his approbation of what he saw of their formation and movements, and that he is satisfied from what he did see, that both these excellent corps are in the best order and discipline, for which he requests the lieutenant-colonel commandant will accept his thanks, and signify the same to the commanding officers of corps, to the European officers, and the several commissioned, non-commissioned officers and privates, composing them.

Extra batta to be served to the Europeans belonging to the detachment.

Detachment orders, by lieutenant-colonel commandant D. Marshall, commanding Merat, &c.

In obedience to the foregoing orders, the commanding officer signifies thus publicly his excellency the commander-in-chief's thanks to captain Houstoun, commanding the 6th Native cavalry, and to major

for Adams, commanding 2d battalion 10th regiment, and to all the European officers, as well as to the Native officers, and men of those corps, including the galloper and artillery details for their display of the "best order and discipline" at the review.

The commanding officer has constantly observed with pleasure the unremitting zeal and attention paid by major Adams, and captn Houtoun, to the internal economy as well as to the discipline of their corps, and from thence derived the most perfect confidence of the result which has proved so creditable to themselves, and so honourable to all.

The exercise of each corps judged of singly, the commanding officer never saw excelled, and their performance in brigade far surpassed any line exercise he ever witnessed.

The necessity for changing the dressing to the left when passing in review, leaving no aids to match on, together with the excessive dust which prevented the taking up points, would have caused incorrectness in troops less perfect, but with these, (like the exercise of a first line day, at a short warning) so far from being detrimental, served but to prove, that the utmost correctness was habitual to every individual, and might of itself have induced the epithet of "excellent" which the general has been pleased to honour the 6th Native cavalry, and 3d battalion 10th regiment with.

SUPREME COURT

Dec 10 --- On Saturday last, the half yearly sessions of Oyer and Terminer, and general gaol delivery, were held at the new court house, before the honourable the judges of the supreme court.

The court being opened with the usual formalities, the undermentioned gentlemen, whose names were the first drawn, by the clerk of the crown, in the usual manner, from the whole number of those summoned by the Sheriff, to serve on the grand inquest, having retired from court, in order to elect their foreman they returned in a few minutes, and were sworn in of the grand jury, as under, viz

Alexander Colvin, Esq. Foreman.

J. W. Fulton, John Hunter,

Alex. Wilson, R. Micklethol,

Mathias Lumsden, William Boone,

W. L. Gibbons, Thomas Hickey,

Elizabeth Jessop, Richard Walpole,

John Corser, F. Lawrence,

John Mackenzie, T. J. C. Plowden,

Archibald Keiso, Thomas Yates,

J. J. B. Proby, John W. Slater,

J. N. Selby, F. Vansittart,

W. Holmes, D. Campbell, Esq.

The gentlemen of the grand jury being sworn and called over, they received from Sir William Burroughs, an able and eloquent charge, of which the following is nearly a correct report:

"Gentlemen of the grand jury,

"Among the offences likely to come before you at the present sessions, there are very few upon which you can require the assistance of any particular observations from the court. From the informations returned by the magistrates, the cases, in general, appear to be such as many of you have been frequently called upon, in the capacity of grand jurors, to consider, and such as you can have no hesitation in saying ought to be brought to trial.

"You will be sorry to hear that three different murders are mentioned in the calendar, and that for a fourth, you will have an indictment laid before you, in consequence of a duel between two military officers, one of whom unhappily

happily fell by a pistol shot, which proved fatal at the place of meeting. The witnesses sworn to facts, from which it must be inferred that the duels is premeditated. And if it was, I need scarcely tell you that the silence in the survivor, however great his provocation may have been, clearly amounts to murder.

"The practice of duelling, which has so long been a reproach to the superior orders of society, in almost every part of Europe, is, I am happy to believe, wearing gradually away. The professed duellist in this country, I hope is utterly unknown, and has long been forgotten, in every other, to all the nations, which so brutal a character deserves. Duels instead of being now considered as any test of truth and genuine courage, which is one of the most noble qualities of the mind, are often fought, we know, by the cowardly as well as by the brave, and in almost every instance are justly ascribed to the unmanly fear of being thought afraid. Many naval and military characters of distinction, who have often risked their lives against the enemies of their country, have latterly rendered essential service to society, by bringing their challengers to justice, instead of agreeing to meet them in the field. And most men, it is to be hoped, will be at last convinced, that some better mode of redress, both for injuries and insults, may be found, than that which so absurdly, as well as criminally, is to depend on superior dexterity in using a pistol or a sword, with which in general, we find, the least respectable are most expert. Much already has been done by the general sense of society, and particularly of the first and best-educated orders among

whom we scarcely ever hear of duels. Their own attention to good manners, and the certainty with which every one who violates good manners always finds himself excluded by them, are the principal means employed; and if those means were more generally adopted, and duels were as much discountenanced by others, as they are by the highest and most respectable ranks of life, there soon would be an end to this disgraceful practice, and to all necessity for the expedients that many men have suggested, for the purpose of preventing it.

"Still, however, it prevails, and destructive as it always is, injures too often, I fear, are induced to make more allowance than they ought for its influence upon persons in the rank of gentlemen, few of whom unhappily, have yet fortitude enough to disregard those false and sanguinary laws of honour, as they are called, that so frequently lead them deliberately to violate the laws of their country and the laws of God. By military men in particular this allowance, it seems, is most expected: and if it could be extended to any description of persons, they, it has been said, would have the most reasonable claim --- Their courage, they tell us, like the honour of a woman, cannot even be suspected, without deep injury both to their interests and feelings, and rather than submit to have it for one moment doubted, certain it is, that they often have reluctantly been driven to assail the lives of others and expose their own, even when the offence was in its nature trivial, and all resentment was at an end.

"But if it were necessary, gentlemen, to make any answer to such a claim, to a claim which produced

produced such deplorable effects, and which no man can admit, without justifying this destructive practice, and the murders that arise from it, it would be quite sufficient to remind you, that the most military governments of Europe have long been the most rigorous in the punishment of duels, and that when death ensues, they are classed with crimes of the deepest guilt, not only by our own laws, but by the concurring laws of every enlightened nation upon earth. In ours happily justice is always combined with mercy. And though I for one, am perfectly convinced that homicide in duels has been much too frequently allowed to escape the penalty of the law, yet I am far from denying that on trials for this offence as well as others, circumstances often may occur, which will justly entitle a prisoner to mercy, notwithstanding he appears in the unhappy situation of a man who has unlawfully deprived another of his life --- In every homicide there are different degrees of guilt, to which it is the peculiar duty and allowance to remind you the exclusive duty of the Court and Petty Jury to attend. And when a prisoner is brought before them upon such a charge as this, you cannot possibly suppose that any circumstance, which ought in justice to avail him, will ever be forgotten --- His conduct in the origin and progress of the quarrel, the provocation given; the interval which elapsed between the provocation and the combat, his profession and time of life, and that which is much more material, his general character, will always be considered --- And if it should appear that he was goaded by gross insults and imputation on his honor, that his

resentment was not malignant or implacable, that the intervention of those friends, who so often prevent extremes, was neither neglected nor refused, that no unfair advantage was taken of his adversary at the time of fighting, or by previous practising to prepare for it, every allowance, which the public good could warrant, would be made by those, whose province it is to ascertain the degree of guilt, or mitigate the severity of law.

“ But whenever it appears that in such material circumstances he was essentially to blame, he must stand condemned even by the mistaken rules of honor, which he pleads as his excuse, as no man, who regards the peace and happiness of society, could wish to screen him from the punishment, which the law denounces against his crime.

“ But whatever may be the grounds, gentlemen, upon which any prisoner can hope for mercy, you, as grand jurors, never can be either authorized or competent to determine whether it ought to be extended to him or not. Your province is merely to determine, whether there be sufficient grounds for bringing him to that trial, by which his claim to mercy must be ascertained, and for that reason, you are confined to the examination of witnesses for the crown; and lest their testimony should be disclosed, you examine them in private, and without the assistance of the court. The whole merits of the case, therefore, can never be sufficiently before you, and even if they were, your throwing out the bill would be a very mistaken lenity to the prisoner, and might ultimately prove, in the highest degree, injurious to him, inasmuch as it would afford him no security

security against a new prosecution at some future day, when, perhaps, the witnesses might be disposed to do so, and he might, consequently, be wholly unable to bring forward his defence. The verdict of the jury is, it is which affords him that security, the consequence of which is, that by law, if he be acquitted of the whole or any part of the charge, to plead that verdict, forever after, as a bar to any other indictment for the same offence. You will, therefore, I am persuaded, feel it to me you do, gentlemen, to the accused, as well as to the public, to find the bill, and send him to his trial, unless you wholly discredit the witnesses for the crown when they tell you, that his unfortunate adversary has fallen by his hand.

"There is only one other case, gentlemen, upon which I think it at all necessary to observe. It is that of some persons who are accused of felony, in consequence of their having artfully contrived to obtain possession of some valuable pearls, under the false pretence, as it is alleged, of carrying them for sale into the interior apartments of a wealthy native's house, to the families of whose family they said they were related, and then suddenly disappearing by some private passage, and carrying off the property along with them. To support the charge of felony, the law requires it to appear, that the real intention of the accused was to steal the pearls, and that such was their intention at the time of their obtaining possession of them, from the person in whose hands they were, and by whom the prisoners were accompanied to the house in question. If the property in the pearls had been actually sold to the

prisoners upon credit, and they had afterwards absconded without paying for or restoring them, however dishonest such conduct might appear, it would only amount to a breach of civil contract, for which no indictment could be maintained. ---But if there were no such sale, and their original intention was to steal, which, as the evidence stands on the information, there is great reason to believe, that the means which they adopted can be viewed by the law in no other light, than that of an artful contrivance to effect their purpose, and in that case certainly you ought to find the bill, and send them to their trial.

"On the general rules which, the law requires a grand juror to observe, it cannot be necessary for me, gentlemen, to dwell, on a former occasion I stated them, and several of the reasons on which they were founded, very much at large, and most of you have frequently heard them from other judges of the court, in the course of your attendance to discharge the duties of grand jurors at this presidency, where those duties, to my own knowledge, have been, for many years, very honourably fulfilled. You will recollect, that though you need not be unanimous, yet you will not be warranted in finding any indictment or presentment to be true, unless twelve at least of your number shall concur in opinion for that purpose; and you also will recollect, that you are bound to keep your own secrets and the secrets of the crown. ---You would betray your own, if you were to divulge the votes, or conduct of each other, on the different bills or presentments that may come before you, and you would betray the secrets of the crown,

crown, if you were to disclose the evidence in support of any criminal charge, without the previous consent of the crown, or sanction of the court ---The only reason for prohibiting the disclosure of such evidence is, to prevent its being counteracted by perjury, or subornation of perjury, on the part of persons to be tried, and therefore it is, that the crown may waive its privilege, and that the court may authorize the disclosure, where the purposes of justice may thereby be obtained. Such for instance, as conviction of a perjured witness, or the contradiction of one, whom any of you might happen to hear giving evidence before the court, different from that which he had previously given before yourselves.

"You are empowered, gentlemen, by law, to present any offence coming within your own knowledge or observation, although no bill of indictment at the suit of the king may have been previously laid before you, with respect to it. But whether you exercise that power, or confine yourselves to the consideration of indictments only, still you will remember, that you are not to exceed the jurisdiction of the court. Its jurisdiction, independent of that which it is empowered to exercise over offences committed at sea, in all quarters of the globe, extends not only to offences committed by any description of persons in Calcutta, but also to such offences as may have been committed by any British subject, or by any person or persons directly, or even indirectly employed, at the time of committing them, in the service of a British subject, or of the East India company, in any of the territories or possessions, over

which this government immediately presides.

If, gentlemen, in the course of your proceedings any doubt or difficulty should occur to you, in point of law, it will be your duty to apply for information to the court, and I need not add, that you will receive every assistance that the court with propriety can give."

The first trial that came on, was that of captain William Sheppard, indicted for the murder of captain Phillips.

The prisoner was brought to the bar, and after hearing the indictment read, he pleaded *NOT GUILTY*. A jury was then impanelled, and the witnesses on the part of the crown were examined by the court.

Choytun, bearer, deposed,-- that one day in the month of October last, about six in the evening, he was ordered by his master, captain Phillips, to bring him his red jacket, and to attend him with a lantern. It was then dusk. Captain Phillips mounted his horse, and attended by the witness with the lantern, proceeded out of the Fort, through the hospital gate, and rode towards the plain. A bearer in the service of Mr. Smelt likewise accompanied them. His master at length halted under a tree, the largest in front of the hospital, and ordered the witness to go to another tree at a short distance, where he should find a gentleman, to whom he should deliver captain Phillips's compliments, and say that he was come. He accordingly went to the tree, and found a gentleman, attended by a Portuguese servant and some bearers. The gentleman asked him who he was: and on his replying that he was captain Phillips's bearer, the gentleman mounted his horse,

horse, and accompanied by his servants, attended him to the spot where his master was lying. Some conversation then passed in English, which witness did not understand. The strange gentleman dismounted, and after measuring twelve paces along the ground, called to his servant in the Hindostanee for his pistols, which the servant accordingly gave him. Captain Phillips's pistols had been carried by M. Smelt's bearer, from whom captain Phillips had taken one of them, while on his way across the plain. This pistol captain Phillips already held in his hand. By his master's order, the witness then placed the lantern on the ground, precisely in the middle space between the two combatants. Some conversation then took place in English which he did not understand, and his master immediately desired him to get away. He accordingly turned about, and was in the act of making off, when, in the same instant, he was stopped by the report of the pistols. From the loudness of the sound he believed that two had been fired, though the report was so simultaneous, that he could not distinguish them from each other. He immediately turned round and saw his master stretched on the ground. The other gentleman came up, and having felt captain Phillips's pulse, directed his people to place him in the palankeen. He then mounted his horse, and proceeded towards the Fort, followed by the palankeen and attendants. He first went to his own quarters, which he entered, and then returning immediately directed the bearers to carry the palankeen to Dr Orr's. The gentleman, however, did not accompany them to Dr Orr's, nor was he afterwards seen by the wit-

ness. In the course of these transactions the witness had no distinct view of the strange gentleman's face nor should he now be able to recognize him if he saw him. The witness attended the palankeen to Dr Orr's, who was not at home. They then proceeded to captain Phillips's own quarters, and set down the palankeen in the *butteconah*. Presently the *sirdar* *benet* came, and opening the door of the palankeen, found his master lying dead. The witness also looked into the palankeen and saw him dead. Upon this the *sirdar* bearer went to inform captain Phillips's friend, Mi Smelt, who happened to be dining in the Fort. Mi Smelt presently arrived, accompanied by several other gentlemen. They looked at the body, and perceiving it to be perfectly lifeless, ordered the servants to carry it up stairs and lay it on the bed, which they accordingly did.

In answer to a question from Mi Stuettel, counsel for the prisoner, the witness said that he did not know whether the strange gentleman, after their return to the Fort, went to call Dr Chese or not. In answer to a question from the bench he said, that he saw a wound in captain Phillips's forehead, and the blood streaming down his breast, while he was lying in the palankeen, though, in consequence of the hurry and confusion, occasioned by the accident, he had perceived neither, when he first went up to captain Phillips on the ground.

The next witness called, was Peter De Cruz, a Portuguese, steward to lieutenant-colonel Hardwicke. This witness deposed, that he had known captain Sheppard, the prisoner, for a considerable time, having seen him occasionally

at his master's house About a quarter past five o'clock, on a Saturday evening, in the month of October last, (the particular day of the month he could not specify) he received an order from his master to go to captain Sheppard, who had some business for him. He went accordingly, and was desired by captain Sheppard to attend him Captain Sheppard then loaded his pistols in the presence of the witness, and directed the witness to put them into his palankeen, and likewise to get into the palankeen himself Captain Sheppard then mounted his horse, and the witness followed him in the palankeen. It was now about six in the evening, the night had set in, and they had no lights with them. They proceeded out through St George's gate, to a blighted tree near the hospital There captain Sheppard dismounted, and ordered his syce to look under the tree and see if there was any person there. The syce did so but could find no one, captain Sheppard then said to the witness, "I am going to fight with a gentleman You must observe and recollect what we both say." This was the first intimation of his purpose which captain Sheppard had given to the witness In a few minutes after a lantern was seen coming across the ground The mosalchee who carried it came up and said to captain Sheppard, that his master wanted him, captain Sheppard and his attendants then went, as related by Choytun, towards a green tree, close to Kidderpore road, where the witness saw a gentleman, whom he did not then know, but whom he afterwards learnt from the servants to have been captain Phillips. On going up to him, the gentleman accosted captain Sheppard, saying,

"Is this your friend whom you brought with you?" meaning, as witness understood, the witness himself To this captain Sheppard rejoined, "none of your insolence, Sit, upon the ground" The other servants were then ordered to go away, but the witness remained. Captain Sheppard measured ten paces, (not twelve as stated, by Choytun) Captain Phillips likewise paced over the ground, and, on his returning to his station, said, "It will do very well" Captain Phillips then asked the witness, "When the moon would rise?" to which he replied, "about eight o'clock" Captain Phillips then said, "moonlight or darkness it is all the same to me" Upon this captain Sheppard observed, "we shall be able to see each other's faces by the light of the lantern" To which he received for answer, "It will do very well." The witness was then standing between the parties, with the lantern in his hand Captain Phillips asked his antagonist what was to be the signal, and captain Sheppard proposed, that it should be given by lowering the lantern. The witness accordingly stood by, with the lantern raised in his hand. He saw both pistols presented; and, as soon as the parties told him they were ready, he dropped it as directed. They fired precisely together, and at the same moment captain Phillips fell. The witness went up and saw that the bullet had entered his forehead Captain Sheppard likewise came up and said, "are you hurt?" but captain Phillips neither spoke nor moved. The body was then put into the palankeen, and conveyed towards the Fort The witness quitted it at the artillery barracks, and went home to colonel Hardwicke's.

Mr.

Mr Strettel then asked the witness, whether the words used by captain Phillips, when he asked captain Sheppard, if he had brought his friend with him, were spoken in a taunting and insulting manner. To this the witness replied in the affirmative.

The next evidence adduced was Arthur Smelt, esq of the honourable company's civil service.

This witness stated, that he had been intimately acquainted with captain Phillips, that their acquaintance commenced about six months ago, and that he knows of the difference which subsisted between captain Phillips and the prisoner at the bar. Being asked by the court whether he had ever interfered in the quarrel, he said, he had interfered a little, at captain Phillips's request. He waited on captain Sheppard, on the morning of the day, on which the duel was fought, but did not recollect particularly the conversation which passed. Captain Sheppard appeared to him so much enraged, and so much bent on meeting captain Phillips, that he thought it to be useless to make any attempt at reconciliation. On being asked by the court whether he had any reason to suppose that the wish for a meeting was mutual on the part of captain Phillips, the witness said, that he did not know.

Question by Sir Henry Russel. "In the course of your conversation with captain Sheppard, did you learn any particulars, regarding the origin or nature of the quarrel?"

Witness "I think some particulars were mentioned."

Sir Henry Russel "State to the jury what passed between you."

Witness "I noticed to captain Sheppard some expressions, affecting

captain Phillips's character, which captain Sheppard had uttered at general Baillie's table, to which captain Sheppard replied that he did not recollect having used any such expressions."

Sir Henry Russel "It is of the utmost consequence that the jury should know the whole of the conversation which passed between you and captain Sheppard. You went to captain Sheppard, did you not? with the intention of endeavouring to effect a reconciliation. [The witness signified his assent.] It was a highly laudable purpose on your part. You have not yet stated, however, what proposals you conveyed to captain Sheppard, nor how you commenced your conversation with him on the subject of the quarrel."

Witness "I told him that I waited on him, by captain Phillips's request, to say that, as captain Sheppard had sent him a challenge, he was ready to meet him. To this captain Sheppard replied, that he had not been able to procure a second; he had asked several of his friends to go out with him, but they had refused. I advised him by no means to go out without one."

On further interrogation by the court the witness said, that the only part of the conversation which he recollected, was that above noticed, touching the expressions used by captain Sheppard at general Baillie's table, which the witness stated to captain Sheppard to have been highly detrimental to captain Phillips's character. The expressions were to this effect—"that captain Phillips's conduct in separating from his wife had been infamous."—The witness thinks that nothing further passed on the occasion.

Sir Henry Russel. "This is really

really very incomprehensible.— You are deputed by captain Phillips to wait upon captain Sheppard, in consequence of a challenge which captain Phillips had received from him — You go to captain Sheppard, for the purpose of endeavouring to effect a reconciliation. And that instead of entering on the subject which had given occasion to captain Sheppard's challenge, your conversation is exclusively confined to certain expressions used by captain Sheppard, which were calculated to provoke a challenge from captain Phillips. Can you recollect nothing that led to the mention of these expressions? some other conversation must certainly have passed in the first instance."

Witness. "I have no recollection of any thing further."

Sir Henry Russel. "Did no conversation pass between you respecting the cause of captain Sheppard's challenge?"

Witness. "I do not recollect any."

Sir Henry Russel. "You went to captain Sheppard with the view of endeavouring to make up the quarrel. Did you make any attempt to that effect?"

Witness. "Captain Sheppard appeared so much enraged, that I thought it would be to no purpose."

Sir Henry Russel. "This is all very unintelligible to the Court. From the whole evidence which we have heard hitherto, it would seem, that the provocation had been given by captain Sheppard. Yet captain Sheppard is the party who sends the challenge: and captain Sheppard appeared to you to be so much irritated, that you considered all attempts at reconciliation hopeless. From what did you infer, that captain Sheppard was in this state of irritation? Was it from his gestures or from his words?"

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Did he say nothing, that could lead to guess the cause of it?"

Witness. "Captain Sheppard spoke of some aspersions which several gentlemen had circulated against his character, and which he said, he was determined to wipe off."

Sir Henry Russel. "What was the nature of these aspersions? Did you understand that they affected his moral character, or his honour, — his character as a soldier?"

Witness. "I understood them to regard his honour."

The Court was proceeding with the interrogatories, when the witness was taken suddenly ill, and obliged to retire from the box. He returned however after a few minutes, and the examination was renewed.

On being asked, whether he had any reason to suppose, that the aspersions on captain Sheppard's character, above alluded to, had originated with, or had been circulated by captain Phillips, the Witness replied, that he did not know. He believed however, that they had come to the ears of captain Phillips, he thought he had heard them mentioned in captain Phillips's presence, — but could not say whether captain Phillips believed them. He was not acquainted with the cause of the quarrel, nor with the particulars of the aspersions thrown on captain Sheppard, neither had he seen the correspondence, which had passed between the parties.

Sir Henry Russel. "Did you mention to captain Phillips, on your return, that captain Sheppard disavowed any recollection of having used the expressions, at general Bailie's table, which had been imputed to him?"

Witness. "I did."

Sir Henry Russel. "Did captain Phillips

Phillips then desire you to go back to captain Sheppard, or did he take any other steps in consequence of that information ?

Witness "He did not desire me to go back, nor did he take any other steps that I know of "

The witness was then examined by the counsel for the prisoner

Mr. Strettel. "Do you recollect having ever heard captain Phillips *speak lightly* of captain Sheppard ?"

Witness. "I think I have."

Mr Strettel. "Can you state what he said ?"

Witness. "I cannot remember particularly I have sometimes heard him mention captain Sheppard, and he certainly did not talk of him with much respect "

Sir Henry Russel. "This is not the question. You have just now deposed, that you have heard captain Phillips *speak lightly* of captain Sheppard. You can be at no loss to understand, what such a phrase implies ;—more especially when the subject is a military one. Court wished to know, what captain Phillips said or insinuated, when he *speak lightly* of captain Sheppard ?"

Witness "I think it was in allusion to some affair at Cawnpore, in which captain Sheppard had allowed himself to be insulted without resenting it."

Mr Strettel. "Have you frequently heard captain Phillips talk in this slighting manner of captain Sheppard ?"

Witness "No—not frequently."

Mr. Strettel then produced in court two notes, (one of them a challenge,) addressed by captain Phillips to captain Sheppard, and handed them over to the witness.

Mr. Strettel. "You are acquainted, I presume, with captain Phillips's hand-writing ? Do these

notes appear to you to have been written by him ?"

Witness "I think they are his hand-writing "

Mr. Strettel. "Now that you have perused these notes, Sir, do you still retain your former opinion, that no provocation had ever been given by captain Phillips to captain Sheppard ?"

Witness. "I believe the provocation was given by captain Sheppard."

Mr Strettel. "Did you never hear any thing of this challenge having been sent by captain Phillips to captain Sheppard ?"

Witness. "I recollect, on the morning of the day on which the duel was fought, that captain Phillips said to me, in allusion to the challenge, which he had received, that he was just about to have saved captain Sheppard the trouble, by sending a challenge to him."

Mr Strettel "Had captain Sheppard received the challenge, just at the moment you speak of ?"

Witness ---"No, perhaps it might have been the night before "

Here the evidence for the crown closed. And the prisoner being called upon for his defence, Mr. Strettel, by permission of the court, read aloud the following paper -

"If your lordship please, and the gentlemen of the Jury ;

"The very peculiar situation in which I was placed, was such, as to render it impossible for me to act otherwise than I did, and much as I regret the consequences which followed, I could not, consistently with the character of an English officer, tamely submit to the imputation, that, after having slandered the reputation of another, I refused that satisfaction, which captain Phillips exacted.

"Captain

"Captain Phillips's letters have been produced, and I shall make no other comment on them than to remark, that those letters could not fail to hurt the feelings of the most moderate man, they were followed up by other acts, irritating in the highest degree, and ultimately ended in the unfortunate manner, which is in evidence before the court

"Gentlemen, I do solemnly protest, that I never harboured any of that malice or revenge, which makes the lives of our fellow creatures an object of indifference to us, against any human being,--much less, against captain Phillips, with whom I was not much acquainted, and had no cause for hatred --Had I submitted to the disgrace of being insulted with impunity, I must have yielded to the resolution of parting with every thing that renders life not only comfortable, but tolerable. I should have lost the respect of every officer in the army, and have incurred the derision and contempt of those, with whom I am not acquainted, together with the indignation and scorn of those with whom I had lived on terms of intimacy and friendship, I should have been considered a reproach to my profession, and a disgrace to my family

"Reposing the utmost confidence in the wisdom of the court, and the justice and feeling of the jury, I shall leave my case in your hands, convinced, that it will receive every possible favourable construction, which, in justice, may be due to it at the same time, I solemnly protest, that nothing but the irritation excited by such unworthy conduct of the unfortunate deceased could have induced me to meet him in the manner, which has unhappily produced the present trial "

Mr Strettell then said, that he should test his client's defence on the notes already produced, one of which was a challenge from captain Phillips, and the other a note of a very irritating description, which had evidently been written subsequent to the interview between Mr Smelt and captain Sheppard, as it contained an allusion to what captain Sheppard had said on the subject of the expressions which he was charged with having used at general Baillie's table, and declared captain Phillips's continued belief in the truth of that charge. The only witness whom he thought it necessary to call, was general Baillie, who would give testimony to the character of the Prisoner

The notes were then read aloud to the court, and Sir *Ewen Bailie*, was called in and sworn. He stated, that he had known captain Sheppard for four years past, during three of which he had been his aide-de-camp, that he had every reason to approve his character and conduct during that period, and that he considered his disposition to be perfectly mild and inoffensive

The evidence being thus closed, sir Henry Russel addressed the Jury, nearly to the following effect.

"Gentlemen of the jury,

"The case before you is a case of duel, of an unlawful meeting between two gentlemen, for the decision of a personal quarrel, terminating fatally to one of the parties. The crime of killing in duel is declared by the law to be MURDER. It possesses all the requisites which, in the eye of the law, are necessary to constitute murder; inasmuch as it is quite distinct from any sudden impulse of passions as it presupposes something of deliberate arrangement, and is, in its very nature, a premeditated

dictated act. At the same time, in compassion to human infirmity, courts of law and juries have been in the habit of making great allowances for the circumstances, in which a person called upon to fight a duel may have been placed. When a fellow creature is put to death from motives of deliberate malice, the law pronounces the crime to be murder, when the same act is committed under the immediate influence of violent passion, it is merely accounted manslaughter.---Now, in the case before you, it will be to you a question whether the present circumstances of society, as applied to a gentleman and a soldier, do not take away the particular character of malice from the crime. A man is placed in a situation, where, if he does not go out to fight a duel, he has no prospect before him in life but that of contempt and ignominy. Surely, the feelings which are inseparable from such a situation, may be supposed to deprive a man of self-possession and self-command, as well as a violent gust of passion. And, I see no reason why the law should deny, nor do I believe that the law does deny, the same indulgence to those feelings, that it yields to a brutal surprise, which it is the chief object of all human and divine institutions to controul. In declaring this opinion, I believe, I go further than most judges have done. But I have not formed it without mature deliberation. And I think it places the question of law, in cases of duel, upon more stable and more tenable grounds, than the shifts and artifice, which have been so generally resorted to. Where it clearly appears in evidence, that two persons armed with weapons, have gone out together,---have fought, and that one of them has

fallen, nothing more surely can be wanting to make out the facts of the case, and it is vain to struggle against them, or to seek to prevent them.

Sir Henry then went on to sum up the evidence. In reciting the circumstances brought to light, by the first two witnesses, he remarked, that both parties, when on the ground, appeared to have been equally eager and determined, and that, after the fatal event, the conduct of captain Sheppard in remaining by the body of his opponent, accompanying it to the fort, and directing the servants to carry it to Dr Orr's, was exactly what it ought to have been. Sir Henry then particularly dwelt on the insulting conduct of captain Phillips on the ground, in asking captain Sheppard, whether a black man, who accompanied him, was his friend, and on the irritation which such a question was likely to produce. As to the fact of the duel, Sir Henry then observed, the evidence was quite conclusive. The next point to be considered, was the quarrel, which had led to it. Upon this head the jury had the evidence of Mr. Smelt, which was so incoherent and unintelligible, that he was entirely at a loss how to sum it up. From the whole, however, it might be collected, that aspersions against captain Sheppard's character had gone abroad, and after much questioning, it had at length been directly admitted by the witness, that captain Phillips had spoken lightly of captain Sheppard, in allusion to circumstances in which his reputation as a man of honour and courage was particularly implicated. Aspersions upon such points were of all others the most dangerous,---and more particularly so, when applied to a soldier. In so strong a light

light was Sir Henry disposed to regard their tendency, that he was almost ready to go along with the whole substance of captain Sheppard's defence, and to allow, that if he had timely submitted to them, he could never afterwards have held up his head in society. That the aspersions were peculiarly galling and contumelious, might be inferred from the agitation, which Mr Smelt describes them to have excited in captain Sheppard, at the time of their interview.—The learned judge then proceeded to remark on the second letter produced in court, which captain Phillips had written after the conversation between Mr Smelt and captain Sheppard. He forbore to comment further on Mr Smelt's evidence---as being a task equally useless to the Jury and unpleasant to himself. But he conceived they would be amply warranted, from a view of the whole, in regarding the crime of captain Sheppard as the same with that of a man who inflicted death on another, under the influence of violent passion, and he was fully satisfied, that the indulgence granted by the law, was applicable to the one as much as to the other.---He was moreover disposed to give very considerable weight, in the determination of the case, to the testimony of Sir Ewen Bailie, who spoke positively to the mildness of the prisoner's disposition, and who seeing that the prisoner had so long held a situation in his family, must have spoken from the most thorough knowledge of his character.---Sir Henry then concluded by saying, that all these mitigating circumstances appeared to him to reduce the crime to manslaughter, but further than that, he feared, the jury would not find themselves entitled to go.

After a few minutes deliberation,

the jury accordingly returned a verdict of manslaughter.

The prisoner withdrew, and shortly afterwards, to the astonishment of the court, one of the jurors rose, and said, that he dissented from the verdict, being of opinion that the prisoner ought to have been acquitted. He and two others of the jury further declared, that they had not been called upon to give their voices, previous to the return of the verdict. After some consideration, the prisoner was remanded to the bar, and the judges delivered their opinions separately. It was unanimously decided, "that a verdict once recorded, could not be touched by any subsequent declaration of a juror."

Dec 17.—At a meeting of the proprietors of the *Bank of Bengal*, held on Thursday last at the Bank, the following gentlemen were elected directors

A. Colvin, esq.
J. Palmer, esq.
J. Alexander, esq.
George Fyler, esq.
J. W. Fulton, esq.
Rajah Sookmoy Roy.

Dec 27.—The hon. Mr. Elphinstone and his suite are arrived within the dominions of Sultan ul Moolk, King of Cabul. Letters were received in town on Saturday from his camp, dated on the 30th ultimo, from near Bhawelpote, on the left bank of the river Garrah. They had crossed the desert of Beykaneer, in a march of eleven days,---during which time the escort had undergone considerable fatigue and privation. They had suffered more especially from the scarcity and badness of the water, which are said to have proved fatal to a considerable number of the camp followers. They had experienced a most honourable and hospitable reception from the Rajah of Bhawelpore, a tributary of Cabul.

MADRAS

Occurrences for JUNE, 1807.

June 4 — His Majesty's birthday was celebrated with the usual honours. In the evening, a ball and supper was given to the settlement by the right honourable lady William Bentinck.

June 10 — The commonly and cowardly atrocity of M Moreau and other officers of the French national frigate, *Piedmontese*, were gaudily, in having stabbed Captain Perkins, and one or two of his officers, as they were quitting the Warren Hastings, after a spirited and gallant resistance against a superior force, has been officially noticed in terms of merited reprobation. An instance, though not of equal atrocity, yet of a description which cannot fail to create the strongest sentiments of abhorrence at a conduct so cruel and unjustifiable, has recently come to our notice, and which we think it a duty to publish to the world — and which we shall consider it equally our duty to contradict, should the fact have been untimely related. The Travers and Lushington and *ed of Bonubay*, have brought from the Cape a number of our kinsmen, (detestable men) who were taken on the *Brunswick*, and whom Admiral Lincolns had sold as slaves at the Cape.

June 20 — A choir in the roads his Majesty's frigate *Maeste*, honourable captain Lillott from England, 14th February, and the Cape 18th May. On this ship arrived the right honourable lord Minto, governor-general of India, and his staff, consisting of Mr. Moir, private secretary, captain Taylor, and

captain — — —, aids-de-camp — — — and doctor Buchanan, his lordship's physician. Early in the morning of the 21st, his lordship and suite landed, under a salute due to his rank, at the sea-gate of the fort, and walked through a street, formed by the troops in garrison, attended by the right honourable the governor, commander in chief, members of council, and staff of the garrison, to the Wallajah gate, whence he, and his attendants, proceeded in the carriages of the governor, commander in chief, and council, to the government-house. On the 22d, lord Minto paid a visit to his highness the nabob, which was returned on the 25th, on which day the governor-general held a levee at the banqueting room, which was attended by all the gentlemen of the settlement.

June 30 — The Bombay and China ships, in passing through the Mosambique, had a very fine opportunity of ascertaining the situation of the island of Juan de Novo, the Scaleby Castle passed round it within a very small distance from the shore. Its lat. and long by a mean of observations are 70° 5' N 43° 2' East.

Extract of a letter from captain George Bell, commanding his Majesty's sloop Victor, to rear-admiral Sir Edward Pellew, bart. commander in chief of his Majesty's squadron in the East Indies, dated Port Cornwallis, Prince of Wales's Island, 22d May, 1807.

"Your excellency has, undoubtedly,

edly, ere now, received one of my letters respecting the capture of four brigs out of Batavia roads.

"Off Cheribon, (a little to the eastward of Batavia) on the 15th of April, we chased and brought too three prows under Dutch colours, at 5 P M. on its falling calm, anchored, out boats, and sent them armed to bring the Prows alongside, two were brought to the larboard side, the other hung on the quarter, got the prisoners out of the two alongside, (amounting to near 120) and placed a strong guard over them, under the direction of lieutenant Wemyss, as I intended sending them away after overhauling their cargoes.

"Lieutenant Parsons had been on board the Prow on the quarter, but returned with his people, on finding it impracticable to get the crew from below, I instantly ordered her to be hauled close up under the quarter, fired a carronade into her and musquetry, which they returned by throwing spears, and firing pistols, &c. got a gun out of the stern ports and fired into her, the sparks of which most unfortunately reached some powder (which must have been carelessly handed out of some of the Prows) abaft, and blew the after-part of the ship up. at this alarming moment the guard over the prisoners dropt their arms, and ran to extinguish the fire.

"The prisoners instantly seized their arms and picked up several spears and knives which had been thrown on board, and attacked the ship, by this time (8 P M.) the fire, most providentially, by great exertion of officers and men, was got under. Prows cut adrift, and the attention of all hands directed to the defence of the ship, which was admirably performed, for, in little more than half an hour, eighty of them lay dead, in a most mangled state, the rest driven overboard, but sorry am I to add, not without a severe loss on our side, including those blown overboard, and those who have since died of their wounds, a list of which I herewith enclose for your excellency's satisfaction, amongst the killed is lieutenant Blaxton, who had a spear through him, accompanying me in the waste, he died most gallantly."

A list of the killed and wounded on 15th of April, 1807

Killed.---Lieutenant H. Blaxton, and five seamen.

Wounded.---Captain G. Bell, Thomas Coultherd, gunner; 1 serjeant of marines, 1 private do. 22 seamen

Serjeant of marines and 8 seamen since dead of their wounds.

A true extract,

EDW. HAWKE LOCKER,

Sec. to his excellency.

Occurrences for JULY.

July 10.---On Friday morning, at sun-rise, the troops in garrison, consisting of his Majesty's 94th regiment 2d battalion, 8th N. I. 1st battalion, 20th N I and 2d battalion 25th, the governor's body-

guard, and the horse artillery, were reviewed on the island in presence of the right honourable lord Minto, governor-general, the right honourable lord W. Bentinck, and his staff, his excellency the commandant

mander in chief, and his staff, generals Campbell, Sir W. Clarke, and Pater, and a numerous retinue of other officers. The troops were commanded by major-general Fuller, and performed the various evolutions of the field to the entire satisfaction of the governor-general, as expressed in an order transmitted by him to major-general Fuller, after the review.

General order by Lord Minto, after the review of the 10th instant.

"Lord Minto cannot refuse himself the gratification of expressing to major-general Fuller, the great satisfaction he experienced, in observing the excellent order and appearance of the troops which he

had the honour of seeing yesterday under his able command. The promptitude and correctness with which every part of the manoeuvres were performed by every corps assembled on that occasion, while it does honour to the skill and discipline of the soldiers, cannot but reflect the highest credit on their officers of every rank.

"In presenting very sincerely to major-general Fuller this testimony of his esteem for the troops, Lord Minto takes the liberty of requesting that his sentiments may be conveyed to the several corps, in the manner which the major-general judges most proper.

"Government Gardens,
11th July, 1867."

Occurrences for August.

Aug 1st --- In the neighbourhood of Vizagapatam, and to the northward of that place, considerable rain has fallen --- Private letters mention that the country is completely under water from four days successive rain.

The differences between the British supercargoes and the government of Canton, are in a friendly course of adjustment. The affair had been already so far accommodated, that the *Neptune*, with whose crew the *fracas* accidentally happened from which all the mischief arose, was allowed to complete her cargo, and to leave China with the other homeward-bound ships.

One of the crew however was left with the chief Supercargo at

Canton, until the final adjustment of the dispute.

Subsequent accounts state, that intelligence had reached Penang, that the late differences between the British subjects in China, and the government of Canton had been most satisfactorily adjusted.

Aug 10 --- A new Native Poor Fund has been established, which is calculated to enlarge and perpetuate the advantages, of the institution, under a similar description, long established at this presidency. What the uses and objects of the old, and the benefits to be expected by the new fund, may be collected from the report of the committee, describing the nature, and detailing the transactions of the institution.*

* This is inserted at length in the Appendix.

Occurrences for SEPTEMBER.

Sept 13---The gentlemen of the honourable company's service, and inhabitants of *Madras*, attended at the parade in Fort St George, on Saturday morning last, at half past 6 o'clock, where the chief secretary to government read the resolution of the honourable the court of directors for the appointment of the honourable William Petrie, to the provisional government of Fort St George.

The event was then announced by a salute of 19 guns from the batteries, and three rounds of musquetry from the troops of the garrison, assembled on the parade in honor of the occasion.

On Saturday last, a salute of 17 guns was fired from the ramparts of Fort St George, on the arrival at the presidency of lieutenant-general M'Dowall, commanding the centie division of the army

~~To His Right Honourable Lord William Cavendish, Earl of Devon~~

MY LORD,—We the undersigned inhabitants, such as cultivators, merchants, traders artificers, manufacturers, mechanics, &c. residing at the presidency of Fort St George and its environs, beg leave to express the regret we feel at the sudden departure of your lordship from the government of *Madras*, as well as the loss of those blessings derived from the protection, security, and tranquillity we have so long enjoyed through the medium of your kind patronage, and beyond measure your lordship's government and administration of justice has been ever mild, wise, and regular, in that you have been pleased to adopt every measure for our security and welfare in every instance, and particularly in your having pur-

chased and laid up in store a large stock of grain for our subsistence, and likewise your having liberally and charitably extended relief to the poor inhabitants of this country in the time of calamity and famine, by taking such timely precautions, and effective steps, as greatly alleviate the distress, and saved us from the horror of a most grievous famine both here as well as the interior country---which would otherwise have destroyed many thousands of the inhabitants for want of this most necessary article of life, we therefore humbly consider your lordship as an instrument, under God, ordained for the protection of us, at this part and other places in the peninsula, and are deeply concerned, and are impressed with the utmost sorrow at your Lordship's premature departure for Europe

And therefore we humbly request your lordship will be pleased to accept our warmest thanks, expressive of the gratitude we owe for such your lordship's munificence, charity, and benevolence, during your lordship's government, earnestly wishing that the Almighty God may render you a prosperous voyage, and safe return to your native country whose arms will be extended to receive you, with every mark of joy, and may he also bestow upon you all manner of happiness both in this and the world to come, is the humble prayer of,

MY LORD,

Your Lordship's most obedient, humble servants.

[This address was signed by about three thousand principal native inhabitants.]

Madras, 28th September, 1807.

Lord

Lord William Bentinck's Answer to the Address of the principal Native Inhabitants of Madras

Your address is highly gratifying to my feelings. It convinces me that the government over which I have had the honour to preside, has not entirely failed in the discharge of the important duties entrusted to them. Let me not, however, assume more merit than may be due. It is not my particular disposition of my own, to humane and charitable actions, which entitles me to your good will. It is the occasion of a great scarcity which has enabled me to manifest the real principles and intentions of the British government. The orders of my superior authority are—

1st. To protect the free exercise of all religions, and to support pagodas and mosques, with the establishments belonging to them.

2dly To protect all the subjects of the provinces from the incursions of plundering hoists, and of gangs of robbers by which they had been infested.

3dly To protect every man's person and property by the general introduction of impartial laws.

4thly To punish every one, both high and low, who in violation of those laws should dare to lift up his hand against the government, or his fellow creature.

5thly To receive petitions from all ranks of people, and to attend to their reasonable complaints.

6thly To treat the princes, allies of the company, with good faith, kindness, and respect.

7thly. To maintain obedience among the European and Native troops, to behave to them and to

all others, servants of the company, with justice, to recompense extraordinary services, and to support them in infirmity and old age.

8thly In cases of public distress, either from famine, or any other cause, to cherish and feed the poor and hungry.

These are my orders; you seem to think that I have executed them. Though imperfectly, I have done so with my best endeavours, and I leave this government contented and happy.

I will now earnestly recommend, that whatever changes take place, you will never cease to confide in the goodness of the honourable company, and in the disposition of the local government, cheerfully to execute their benevolent intentions,—and I leave you with a sincere belief that you will not have less reason to be pleased with my successor than with myself.

I have now only to bid you farewell, I am, and ever shall be, deeply interested in your welfare, and I trust the Almighty Power will bless you with plenty and happiness.

Monday, 28th September, 1807.

Sept 30.—The 23d of September being the anniversary of the battle of Assaye, the officers of the 33d regiment gave a splendid dinner in the regimental mess-room at Hyderabad, in honour of their colonel, Sir A. Wellesley, to the resident and suite, the commanding officer of the subsidiary force, general staff, and heads of corps and departments. A grand march, composed by captain Sydenham, to be called Sir Arthur Wellesley's march, was played, for the first time, by the band of the regiment.

Occur-

Occurrences for OCTOBER.

October 7.—On the 4th instant, arrived his Majesty's ship *Psyche*, Fleet and Pellew esq. captain. The ship, during her cruise, has destroyed two Dutch vessels, and captured three others, one of which is a corvette mounting 24 guns, and which the *Psyche* has brought into the roads with her; the other two prizes are hourly expected.

The Dutch officers had French commissions, and wore the French uniform.

The following is an official account of the success that has attended this enterprising officer:—

Psyche, at sea, off Java, Sept 3, 1807.

Sir,—I have the honour to acquaint you, that, proceeding in the execution of your orders of the 18th June last, his Majesty's ships *Psyche*, and *Caroline*, on the 29th of August, reconnoitred the port of Louabaya, and, by a ship from Batavia captured the following day, ascertained the situation of the enemy's line of battle ships, which are still inactive there, and represented as being in too bad a state to admit of repair.

As our success in a great measure depended on the intelligence the enemy might receive of our appearance on the coast, not a moment was lost in proceeding to Samarang, off which port the *Psyche* was enabled to anchor, at midnight, the *Caroline* having previously parted company in chase by signal; at day-light I weighed and stood into the roads, when the boats were dispatched under the direction of lieutenant Kersteman, assisted by Mr Charles Sullivan, to attack and bring out the enemy's

vessels there, this service was completely effected, in a manner highly creditable to the officers and men employed on it, the boats having taken possession of, and towed out from under a heavy fire from the batteries, an armed schooner of eight guns and a large merchant brig. The early part of the morning had discovered to us two ships and a brig at anchor outside, and from one of them having the appearance of a ship of war, not a doubt was to be entertained of their being enemies. To be ready to take advantage of the first setting in of the sea-breeze, the captured vessels were destroyed, and before noon his Majesty's ship was clear of the harbour in chase of the enemy, whose vessels had weighed and stood to sea.

I soon had the satisfaction of finding, that the good sailing of his Majesty's ship afforded me a fair prospect of closing with the ship of war, and at 3.30, finding us fast coming up with them, they all bore up and ran on shore, about nine miles to the westward of Samarang, opening, at the same time, a well-directed fire on us, which, on our anchoring in three fathoms water, was very smartly returned, though apparently without much success, the shoal water preventing my closing as near as I wished. In a few minutes the armed ship struck, and at thirty minutes past 4 P M as I was preparing to hoist the boats out, with an intention to attempt taking possession by boarding, the ship of war surrendered, the brig shortly afterwards fired a broadside, and hauled down her colours. On being

being boarded, they proved to be the *Re-solutive*, armed merchant ship of 700 tons, with a valuable cargo, having on board the colours and stars of the 23d European battalion, in the Dutch service, the *Ceres*, a remarkably fine brig, in the Dutch company's service, of 12 guns, and 70 men, a month from Batavia, under the convoy of the *Sepio convecte*, of 24 guns, and 150 men, the latter had sustained very considerable damage, many shots having pierced through her hull, her masting much cut, and her commander, Monsieur Canegat, mortally wounded.

I am happy to add that they were all got about the same night, without injury, by the persevering activity of my officers and men.

On the 1st, the *Caroline* not having joined, and the ship's company considerably reduced by the absence of three officers and fifty men in the prizes, I was induced to accede to a proposal made by the governor of Samarang, for allowing the prisoners to go on shore, the officers signing their parole, and proper receipts being given for the soldiers and seamen.

I cannot too highly praise the zeal and activity displayed by the officers and men I have the honour to command, on the whole of this service, and I regret that the force of the enemy did not afford a fuller scope to their exertions.

I have the honour to be,

Sir,

Your most obedient
humble Servant,

(Signed) FLEET B R PELLW.
(A true copy)

EDWARD H LOCKER,
Sec to his Excellency.

To his Excellency Sir E Pellw,
Bart, Rear Admiral of the Red,
and Commander-in-Chief, &c.

Oct. 7.—For several evenings past an unusual luminous appearance, supposed to be a comet, has been seen in the west. It disappears about 8 P. M. Its progress is rapid, and it seems to be fast approaching the sun.

Oct. 14.—The comet which has appeared for several evenings back, is receding both from the earth and the sun, the former is evident from the body of the comet being seen through the transparency of its tail, and the latter by measurement. By a Theodolite its magnetic bearing and altitude were nearly as follows.

October 5th, at 7° 20' mean-time, P. M. it bore by the N 83° 45' W. and its altitude was about 17° 35'.

It therefore approaches the pole at the mean daily rate of 1° 35'. The tail has much the appearance of the Milky way, and is quite transparent, as a fixed star was distinctly seen on the 5th, through its upper extremity.

Royal Tiger.—In the forenoon of the 1st instant, a royal tiger made his appearance in the cantonment at the mount, when he was pursued by several artillerymen, and ascended the mount, where he was wounded by a fuzil ball, which irritated him much, and in his passage across the mount, he stuck two natives, one of whom is now lingering with a lock jaw, the other not materially hurt. The tiger then crossed the outer mount, when he was attacked by an inconsiderate European, armed only with a stick, this man was torn by the paws in his face, and bit severely in the thigh—he is however doing well. Several fuzil balls being fired into the animal, he was killed, and triumphantly brought into the cantonment on a cart. He measured from the

the head to the end of the tail, near ten feet, and in height near five feet. The tyger was seen by villagers the night before, a few miles to the southward of the mount. This is the first instance of a royal tiger being seen in that cantonment.

Extract of a Letter from Vizagapatam, dated October 8, 1807.

A bark hovered off here all this day, made sail towards the road, brought to, fired two guns and sent a boat on shore, proved to be the Bark Hunter, taken off here by the Ravenant, captain Suicouf, on the 6th instant, he gave her up, saying she was not worth sending to the island. The officer reported he had taken the Amiral Aplin, Mangles, Sissannah, Trafalgar, and another, name forgot, and was on the 6th in chase of another vessel going to the Sand Heads. He said he was in no fear of any of our frigates taking him but the Caroline.

Suicouf left Toulon 4th March, the Islands 4th September, and his crew consisted of 120 men.

Suicouf, who is the brother of the one formerly in these seas, behaved with the greatest kindness to his prisoners, having given them up every thing except their swords, he took the parole, and lieutenants Mackenzie and Macdonagh have since arrived at Madras.

Extract of a Letter from Calcutta, dated 7th October, 1807.

We beg leave to inform you, that we are in the roads, having been put on the Paia, just arrived, by captain Epton, of the French frigate Piedmontese, yesterday at ten A. M. — We enclose you a list of the vessels captured by that ship, and the names of the commanders, and request you will have the

goodness to send boats for us. The Piedmontese was in sight from us this morning, bore about N. E. by N. We further beg leave to inform you, since we were captured by her, she has been cruising between the lat. N. 17, and N. 18. 36, and was three days close in with Vizagapatam, and captured a Danish ship off that port, near enough to have been seen by those on shore, the frigate had English colours flying at the time, and captured all ships except the Udney under that flag. The Piedmontese is a frigate of the largest dimensions although she has the appearance of a vessel of much less force. On leaving the Isle of France she had four hundred men, but from manning the different prizes she has now about three hundred and twenty, exclusive of the Portuguese, taken from the different ships that have entered, or had been pressed into the service. — There is also a privateer commanded by Suicouf, now in the bay, that is reported to sail uncommonly fast. Two frigates are expected at the Isle of France of similar dimensions to the Piedmontese, called *Le Italienne* and *Le Sultan*.

One Native vessel, named the *Calcutta*.

Caroline, Captain Eggleston.

Snah, Captain Henderson.

Maria, Captain James, died on board the frigate, on the 29th of September.

Eliza, Captain Sprykes.

Udney, Captain Wallis.

Daneshburgh, Captain Winter.

Highland Chief, Captain Makepeace.

Oct 15 — The *Clyde* has arrived at this port, having picked up part of the crew of the *Admiral Aplin*, captured by the *Piedmontese*, that were in boats, the *Admiral Aplin* having foundered at sea, with three other ships, names unknown.

Oct.

Oct 21 —His Majesty's frigate *Geyhound*, Captain Troubridge, had arrived, at the Isle of France, under a flag of truce, to enquire after the fate of the *Blenheim* and *Java*, his flag has been respected by General de Caen, who, unable to afford him any other intelligence of these ships, save that general report stated them to have foundered off Madagascar, gave him an order addressed to all persons under the denomination of the French Government, directing them to report to Captain Troubridge all

they might know concerning the vessels, and to afford him every facility during the continuance of his cruise in search of his father.

The natives of Madagascar had given, it appears, a very correct description of the *Blenheim*, and of the repairs which she received while laying off the island, as well as of the person of her late gallant, but unfortunate commander. So that there is not the least doubt of her having been off the island,--- though no further accounts have been heard of her.

Occurrences for NOVEMBER.

To the Honorable W Petrie, Governor in Council, Fort St George.

The memorial of the undersigned field-officers of his Majesty's service, (serving under the presidency of Fort St George) whose commissions of colonel have been cancelled,

SHEWETH, That your memorialists, while they admire the liberal principle manifested by his Majesty's late regulations towards the honourable company's service, cannot but behold with regret, that the colonels of the honourable company's service, whose commissions have been cancelled, are at present permitted to draw the pay and allowance they formerly did, (being colonel's full batta) while many of your memorialists are in command of regiments, drawing major's and lieutenant-colonel's half-batta only

You memorialists have to observe, that while serving in Europe, their holding Brevet rank entitles them to many advantages that in this country they are deprived of.

Your memorialists, when they contemplate that your honour in council has so perfect a knowledge of India, are confident that credit will be given them, that animated zeal has invariably marked the active operations of his Majesty's arms, and that your memorialists shall not be found less deserving the protection of the honourable company, than officers of equal rank in their own

Should your honour in council not deem it within your powers to redress the grievances complained of, your memorialists request that this memorial may be forwarded by the first convenient dispatch, to the honourable the court of directors; and if not there redressed, that it may be laid before his most gracious Majesty in council

Copy of a Letter from his Excellency Lieut.-general Macdowall, which accompanied the Memorial, to the Honorable W Petrie

Madras, Nov 17, 1807.

SIR,—I am impelled by duty and inclination to support and recommend

commend every representation which comes from such respectable persons as the lieutenant-colonels, whose names are subscribed to the accompanying memorial, and I have the honour to submit it to your consideration

I have the honour to be, Sir, &c.

(Signed) HAY MACDOWALL.

The following is the answer transmitted to the above ---

Military Department — Par 1. The honourable the governor in council having taken into consideration the memorial recently submitted to him by certain field-officers of his Majesty's service, on the subject of their allowance, I am directed to acquaint you, that a compliance with this request has been deemed incompatible with the orders of the honourable court of directors

I am further directed to acquaint you, that the governor in council does not perceive any just ground for recommending the memorial to the favourable consideration of the honourable court.

I have the honour to be, Sir, &c.

(Signed) G STRACHY,

Secretary to Government.

To Lieut-general Macdowall,

Commander in Chief

Fort St. George, Dec. 7, 1807.

Nov 18 —In a government advertisement bearing date the 22d October last, a reward of 5,000 Star Pagodas was offered by government to any commander of a British vessel, who may import alive at Madras the genuine Cochineal Insect, the growth of South America---the following is the description of the insects for which the reward will be given, viz.

Mastique, Compreschane, Tetraschale, and Sylvestre

The first is accounted the best, and the last the worst, the three first derive their names from the situation of their produce, the last is found wild, and though perhaps superior to the spurious insect procured here, is not considered to be a desideratum.

Nov, 20 ---In one of the engagements which have lately taken place between the Persians and the people of Candahar, a considerable leader on the part of the latter was taken prisoner by the Persians, and while the battle was still raging, a stake was erected, and the unfortunate soldier suffered the singular martyrdom of being burnt in the field of battle

Occurrences for DECEMBER.

Dec. 1st —A letter from Negapatam, of the 6th ultimo, states, that the ship Kitty, Captain Rapar, from Nagod to Calcutta, was taken off the Sand Heads of the 23d ultimo, by the Adele, of 12 guns and 160 men, commanded by captain Mulas, and re-captured on the 29th by three Americans, who had been forced on board the

Adele at the Islands, assisted by the Lascars, after a severe scuffle, wherein the prize-master, who defended himself with desperation, and four other Frenchmen, were either killed or forced overboard. The remaining French, four men and a boy, are landed, some wounded, and all suffering with the scurvy. The Americans are severely but not

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dangerously wounded, two Lascars were slightly wounded. The Lottery is under charge of a Mr. Wood, the mate of the ship.

Dec 12.—On Wednesday the 9th instant, the surf was observed to be unusually high, and the clouds gathering thick and black to the northward, with an increasing wind, excited apprehensions that a storm was at hand. During the evening some rain fell in occasional showers, but in the night, and during the whole of Thursday it varied incessantly, the wind from the north-west gradually increased into a gale, which by one o'clock on Friday morning had acquired a violence that threatened every thing with destruction, and in this direction, exciting dismay and spreading desolation, did the wind blow until about 4 o'clock in the morning. About this hour the wind lessened, and altering its direction gradually came round to the southward, during this time there was an awful suspense, for the experienced in this climate anticipated a renewal of the work of mischief from the sudden abatement of the storm, and from the shifting of the wind. When it had completely veered round to the southward it suddenly burst into a hurricane, the like of which was never before remembered at Madras.

The canal forced its banks and overflowed the country as far as the government bridge on one side, and beyond the powder mill on the other, where the water was three feet deep. Boats were carried away, and several were found at the berying ground, and one near the government gardens.

The sea rose much beyond its usual height, bringing some of the Masoolah boats within a few yards of the Custom House, and de-

stroying others to the amount, we understand, of about 40. The surf reached Messrs. Harrington's on the beach, and by its violence exposed four feet of the foundation of the house. Luckily this was not half its depth. One side of the adjoining building, the naval office, is much damaged. The company's rice godowns near the custom-house were forced open, and much of their contents washed away. The sea rose close to the ditch of the fort, and the surf dashed with violence over the ramparts. The countescarp at the N. E. angle gave way, and the water poured into the ditch at every rising of the surf. The bastion at the northern extremity of the Black-Town wall gave way, and two guns are dismounted into the sea. It is impossible to give an accurate or adequate description of the mischief this storm has occasioned: far less can we describe the feelings of individuals who witnessed this work of destruction. Trees were every where torn up by the roots, the houses of the European inhabitants have universally suffered considerable damage, many were unroofed, and some partially blown down. The mud houses of the natives are in most places swept away, and with them many also of the wretched inhabitants. It is apprehended many thousands have perished. Dead bodies of men, women, and children, were found lying in every direction when the storm abated. As the sun rose higher, so the wind, and rain, which had all along accompanied it in torrents, gradually abated, and before noon returned to the northward, and by Friday evening blew again steadily, and without violence from the north-east. During the hurricane there

was no thunder and lightning, although some was experienced on Friday night.

In relating the accounts of the great damage sustained, we must not omit to mention the effects of this tornado at his Majesty's naval hospital --- Several of the wards were partially unroofed, and in some places the roof fell in to the imminent danger of the sick beneath --- Fortunately, however, by the activity of the officers and men attached to the hospital, the sick were removed in time to save them, and we are therefore happy to say no lives were lost. The wall surrounding the hospital has fallen in various parts, leaving breaches of 20 feet wide --- The trees are torn up by the roots, and the place exhibits one continued scene of devastation. The extensive wall of Dent's garden is injured materially, and in some parts levelled with the ground.

Black Town, St Thomé, and the Mount seem all to have suffered alike, at the latter place the flag staff is blown down. In the roads carts upset, and cattle dead were every where lying, all the sentry boxes were blown down, as were the steps going up to the signal staff of the fort, and the large box in which the colours are there deposited, was thrown on the parade. As no market could be held, so many families, European and Native, were without food nearly the whole of Friday.

A Parrish vessel lying in the roads was stranded, and the brig *Cyius*, which put to sea on the appearance of the storm, returned to the roads, on Sunday morning, with the loss of her masts, and half full of water. Some idea may be formed of the strength of the current and force of the surf, from the circum-

stance of a large portion of the ribs of a ship, supposed to be the *Fairlie*, captain Eliott, which was burnt in the roads, in 1799, were thrown a-shore, close to Mr. Parry's godowns.

To enter into a regular detail of all the mischief occasioned would much exceed our limits, or our descriptive powers. We cannot, however, but lament that amongst other consequences of the storm, Dr Anderson's beautiful garden has been destroyed. This we consider a great loss in a national point of view, to the individual it must be distressing, indeed, to see the labour of years thus destroyed in a single night.

Of the misery in which the natives are involved we can give no adequate idea, unless, indeed, the following circumstance which has reached us, or the horrid resolution consequent to despair, in an *individual*, be considered as a proof of the *general* sense in which they view their calamities. A native woman, after the storm, raised a pile of wood in a gentleman's coach-house, and, getting underneath it with her child, had the desperate resolution to set fire to it, and thus burnt herself and her infant to death.

Of the distance the storm has reached, we are, at present, unable to state. We have heard that it scarcely reached to the northward further than Policat, to the southward it had not been felt at Pondicherry, as the American brig *Brutus* anchored in the roads early on Sunday morning direct from thence, and had not encountered any gale in her passage.

In a westerly direction we are informed, it has reached as far as Conjeeraiam, where its ravages have been much felt.

During

During Monday the 14th, a considerable quantity of rain fell, but unaccompanied with any violent wind. On the day following, the sky was somewhat cloudy, but did not present an appearance of a further storm, although it was the full of the moon.

The late hurricane did not reach so far as Villora to the westward; the European barracks at Wallajahabad overblown about two feet, and many native inhabitants, it is feared, have been lost.

Dec 29 — On Thursday the 24th instant, anchored in the roads his Majesty's ship *Sceptre*, captain Sir John John Calcutt the 15th instant having on board the honorable Sir George Hillier Barlow, bart and K. B. appointed, by the honorable court of directors, governor of Fort St George and its dependencies. He was accompanied by captain Campbell, of the Bengal establishment.

Sir George Barlow landed at half past five o'clock, at the watering place near the North gate, under a salute of nineteen guns from the saluting battery, where he was received by the honorable the governor, attended by the members of council, the commander-in-chief, &c. and the principal inhabitants of the settlement.

A salute was also fired from the *Sceptre* on Sir George's leaving the ship.

His Majesty's 14th and 30th regiments, and the Native troops in garrison were under arms to receive Sir George Barlow, and formed a street extending from

the North-gate to the Wallajah-gate.

The honorable the governor's body guard escorted Sir George Barlow into the Fort, when he proceeded to the government-house: being sworn in at the council chamber, under a salute of nineteen guns, the honorable the governor descended to the parade, where the troops were formed in a square. The commission was here read, appointing Sir G. H. Barlow, bart and K. B. governor and commander-in-chief of Fort St. George. The keys of the garrison were now tendered, and his accession, to this honor announced by the discharge of nineteen guns from the saluting battery, and three volleys of musquetry from the troops.

Sir George Barlow afterwards proceeded to the government gardens, and was escorted thither by the body guard.

Friday last, the 25th instant, being Christmas day, the same was observed with the usual solemnity. A royal salute was fired at sunrise, and the honourable the governor attended divine service in Fort St George, where a most excellent discourse, suited to the occasion, was delivered by the Reverend Edward Vaughan, from the second chapter of St Luke's gospel, 11th verse.

Dec 30 — The officers of his Majesty's 22d dragoons have addressed a public letter to Lieut-colonel Gillespie, of his Majesty's 8th dragoons, expressive of their regret, on his retirement from the command of Arcot.

Occurrences for JANUARY, 1808.

January 12 --- On Tuesday night a fire was observed to have broken out on board the brig *Teresa*, captain Torrick, in Madras Roads. Assistance was immediately sent from the beach, and, notwithstanding the tow-ropes were twice burnt in the attempt, the persons employed succeeded in getting her on shore, without any damage to the shipping by which she was surrounded. No lives were lost on the occasion. The *Teresa* was the brig lately captured, and given up by Surcouf. The flames continued with great fury, until she was burnt to the water's edge.

Monday being her Majesty's birth-day, the flag was hoisted, and a royal salute was fired from the battery of Fort St George on the occasion. A salute of an equal number of guns was fired from H. M. ship *Duncan*, captain Wells, lying in the road.

The *Grab*, Charles James Fox, arrived at Negapatam, on the 11th January, from Padang, on the coast of Sumatra. She left Padang on the 16th December, and experienced hard weather in the bay, having laid to in a gale of wind for near twenty-five days. On the 23d of November there was an earthquake at Padang, and on the evening of the 3d December, between six and seven o'clock, another very severe shock was felt. A large village, with all its inhabitants, situated in a valley in the mountains, not far from Padang, was completely destroyed, and no vestige left behind. These very

awful phenomena were preceded by very heavy falls of rain in all November, and severe gales of wind the waters rushed down in torrents from the hills, the sea rose near five feet, many lives were lost, and much damage sustained by the inhabitants.

A special Admiralty Sessions was held in the Court-house of Fort St. George, on Wednesday, the 25th January, before the hon. the Chief Justice, for the trial of lieutenants James Munro Robison, and George William Rawlins, of his majesty's 14th regiment of foot, who were indicted for the wilful murder of John Norton Matthews, fifth officer of the honourable company's ship *Royal George*, on the 11th of October last.

Mr. Anstruther, counsel for the prosecution, stated the circumstances of the case to the jury.

— Tymon, surgeon of the *Royal George*, stated, that the deceased, Mr. Matthews, was killed on the 11th of October, on this side the Cape of Good Hope, on board the *Royal George*, at sea, on a voyage from England to the East Indies. The witness was present at the examination of the body, which was examined by the surgeon of the 14th regiment. It appeared that a pistol ball had penetrated the head of the deceased, which occasioned his death.

William Charles, private in the 14th regiment, swore, that on the night of the 11th of October last, he saw, between the hours of nine and ten, Mr. Robison, the prisoner,

on the fore-castle Mr Rawlins was on the star-board side. Mr Rawlins gave Mr Robison a pistol, that Mr Rawlins called out "are you ready?" He heard Mr Matthews say, "all ready," on which Mr Rawlins waved his hat, and Mr Robison fired. Mr Matthews instantly fell, and was taken from the deck.

Cross-examined by Mr Marsh --- Witness, was about three yards from Mr Rawlins, and about six yards from Mr Robison, at the time he fired. Did not hear Mr Robison speak. Does not know if he had a red jacket on, but thinks he had. Witness, however, knew him. Saw Mr Rodd, fourth officer, on the fore-castle.

Daniel Young, private, confirmed the account of the preceding witness, with the addition that the deceased said, "all ready," and then snapped his pistol, which mis-fired, and, immediately after, he heard the report of a pistol, and saw Mr Matthews fall, but does not know by whom the pistol was fired.

John Everett, seaman, deposed, that he was on the fore-castle of the Royal George on the evening of the 11th October, that he was waked out of his sleep by Mr Rodd, who told him to go down and call Mr. Matthews, which he did. He returned to the fore-castle, and saw a soldier officer on the star-board side, leaning against the rail. Does not know the officer's name, but is acquainted with his person, (witness pointed at Mr Robison.) Saw Mr Rawlins on the fore-castle. Mr Rawlins and the other soldier officer had each a pistol in his hand, saw Mr Matthews walk over to the star-board side of the fore-castle. Witness then went down upon the main-deck, heard somebody say "are you

ready?" Saw the deceased point his pistol, and heard it snap in the pan, and, in about ten seconds after, witness heard the report of a pistol, and went on the fore-castle, where he saw Mr Matthews lying down bleeding. Next morning at nine o'clock saw he was dead.

Cross-examined by Mr Marsh; states the transaction to have taken place after the Royal George had doubled the Cape --- Does not know if it was a moonlight night. Witness says, that the officer leaning against the rail had on a blue-coloured coat.

The learned judge here called on the prisoners for their defence, when Mr Robison observed, that he wished to submit a few observations he had in writing to the jury, but, as he was extremely agitated, he begged that it might be read by his counsel.

The prisoner's defence, by the permission of the court, was then read.

My Lord, and Gentlemen
of the Jury,

It has been intimated to me, that by the rules and practice of criminal courts, the learned counsel, who assist me on this awful occasion, cannot address you upon the facts of my defence. I have, therefore, reduced into writing a few plain observations, which seem to me material to my own vindication, and by consequence to that of my friend, who stands here my associate and fellow-sufferer under this accusation.

Gentlemen, if it were becoming, or necessary, to appeal to your feelings, by any of those topics which might dispose you to mingle, commiseration and kindness with the stern and grave offices of justice, such topics would be amply suggested,

gested, by the very nature of the crime itself, of which we are indicted. Abstracted from the awful denunciations of the law, the accusation itself, to minds not dead to the sensibilities of our nature, must be considered as a matter of the most painful inquietude. I might also advert to the peril of life, and of reputation, which is dearer than life, and to other perturbations incident to a situation, in which those, who are called on to redeem their innocence, must often undergo sufferings, as severe as those which the law inflicts upon tried and demonstrated guilt.

But, gentlemen, there is a bitterness in our situation beyond this. I allude to the melancholy subject itself of this procedure. I speak not the phrase of dissimulation, but the utterance of uncounterfeited feeling, when I profess my sorrow for the fatal issue of the quarrel, and for the unfortunate series of circumstances that impelled me into a dispute, which has torn a fellow creature from existence in the strength of his days and the promise of his youth. Whatever becomes of me, in every period and fortune of my life, I shall weep over this passage of it, I will not say, the tears of repentance for guilt; but the unaffected sorrows of my soul for the worst adversity by which I have yet been visited.

Gentlemen, may I also be pardoned, if in this serious hour, I beseech you to banish from your memories, every whisper concerning this melancholy subject, that may have reached your ears! Not that I am diffident of the integrity and rectitude with which you will execute your duties; but it is possible that you may have heard some representations of the transaction. It is equally possible, that

those representations may have come to you with the usual incorrectness to which the themes of public conversation are liable, and perhaps tinctured with the calumnies of the malicious, and distorted by the misconceptions of the ignorant. But happily, gentlemen, in an English court of justice the accused party finds a sure refuge from the weight of popular crimination. With these remarks I shall proceed to a rapid but correct narrative of the principal circumstances which preceded the lamentable occurrence. I trust, that I am not guilty of an unbecoming confidence, in expressing more than a hope, that those circumstances will shew, that no part of my conduct has been influenced by that malice towards the deceased, which will be told, by the enlightened judge of the court, constitutes the legal, as well as the moral character of the crime for which I am indicted.

Gentlemen, I solemnly declare that no ill will or animosity against Mr Matthews ever entered into my feelings. I had disapproved of an indecorum in the behaviour of Mr. Matthews towards one of the women belonging to the regiment of which I was an officer. Of that indecorum, which was too public, and too unguarded, not to fall frequently under my observation, I had expressed my disapprobation. It was the subject of general remark through the ship, and I was far from being the loudest or the severest of those who made their strictures upon the circumstance. Unhappily, however, Mr Matthews was induced to attribute to me the chief share in animadversions which were almost general, and to single me out as the object of the most bitter resentment.

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Gentlemen, from this time to the day of this melancholy affair, nothing passed between us worthy of observation. I had quieted in my mind the transient indignation I might have felt, and must be allowed to feel at the unmerited language which I had received on several occasions from Mr. Matthews. My silence and language which is usual considered, in the intercourse of gentlemen, to be scarcely expiable, but by the most public and instant apology, will negative, I trust, all intervention on my part to call out Mr. Matthews, and will shew that I could not have been grieved in so such a measure but by injuries to which no human patience could submit. On the 11th of October I was on duty, and was going to the captain of the day, on deck to make my report, when I observed the deceased standing directly under the ladder, looking at me, and at the same time looking at me sternly in the face. I simply asked him, if by that gesture he meant to insult me. He said, "no, sir, but you are a damned lying scoundrel for propagating false reports in the ship about me." Some insulting language having taken place, we came to blows and were afterwards separated. I naturally supposed that the business would rest here, for the remainder of the voyage, especially as I was determined, though by no means the aggressor in the quarrel, to take no more notice of what had happened, and to banish it wholly from my mind. And, gentlemen, give me leave to say, that the fatal event, and this solemn procedure, would have been prevented but for the conduct of the deceased, who the very night before, had declared his determination to challenge me, and

who was also observed on the morning of this very day looking after me, and peeping at me through the netting of the great cabin, where I was sitting. But if any doubt could be entertained of the intention of the deceased either to challenge me himself, or to drive me by meditated insult to a situation, which admitted of no alternative but of my challenging him, the subsequent part of his conduct on this day will manifest his intention beyond all controversy.

About four hours after this rencontre, I was walking on deck with two or three of the officers, of the regiment. Mr. Matthews was on the same side of the ship. There was then a considerable leaning of the vessel on one side, as it was blowing rather fresh. About the third or fourth time of passing, the deceased, probably by accident, having come nearer to me by several planks, slightly touched my right elbow. The contact on my part from the inclination of the ship was unavoidable. Mr. Matthews, however, instantly turned round and said to me, "You had better not shove against me again, Sir." My reply was, "that I had not done so, and that he ought to have kept out of the way." The next time of passing, he came immediately abreast of me, and addressed me nearly thus, "You are a damned blackguard." I made no reply, but desisted from walking the deck, and went under the awning, where six or seven of the officers of the regiment were assembled, and waiting for dinner, when the deceased again came up to me and called me "a cowardly lying scoundrel, a rascal," and poured out a considerable flow of abuse, the particulars of which it would be hardly decent

decent to dwell upon. When I went into the cuddy to dinner, Mr Matthews followed me close to the door, with the same opprobrious and insulting language. This language was addressed to me in the presence and hearing of nearly all my brother officers, of those who, from the rules and maxims of military life, would have been impelled to disclaim all intercourse with one, who, by a tame submission to the accusation, had virtually acknowledged himself to be a coward and a liar. I cannot describe my suffering under this insult. It left no other impression on my mind than that of Mr Matthews's determination to drive me to the last extremity of wounded honour, and to try, by a series of experiments, the limits of my endurance under the foulest of imputations. Gentlemen, the result I will not particularize. The time and place was the choice of the deceased -- I declare in the presence of Almighty God, that I went out with Mr Matthews, solely to seek that satisfaction to which I thought my character entitled. I disclaim with the utmost solemnity the intention of dipping my hands in his blood.

Such, gentlemen, were the provocations, that hurried me to this fatal, but inevitable measure. I am not tormented with a captious and irritable sense of indignity. But the uniform tenor of the defiance I had received, left no other feelings on my mind, but the conviction that he was determined to leave me no other alternative. The words which he used, have in many cases been deemed, in courts of criminal law, sufficient grounds to grant an information, or to support an indictment for sending a challenge. In their constructions of such words

the courts have referred to the common feelings and understandings of men, as the surest rule of interpretation. And, gentlemen, mingling, as you will do, a regard to the infirmities of man's nature in the construction you are about to put on my conduct, you will not suppose that I could have purchased a mean and contemptible safety, by affecting to misunderstand the import of words and phrases, concerning which the grave judges of the law, reasoning in conformity to the universal sense of mankind, have put one uniform interpretation, and that I could have passively submitted to a disgrace which, from the habits of thinking at present prevalent in the world, must have rendered the rest of my life friendless and wretched.

Gentlemen, I am an officer of the British army. How could I have led others on to honourable danger, or participated in the honourable rewards of military enterprise, with a character stained with the imputation of cowardice? I presume not to urge any thing against the laws of God or of man. But you cannot ascertain the quality of my actions without some regard to the perplexities of my situation. Such is the present constitution of society, that circumstances must sometimes arise, to drive us into an unwilling straggle between the allegiance which we owe to reason and religion, and the influence which the estimation of others must always have over human conduct. In military life, the prejudices of the world cannot be resisted with impunity. We are surrounded by their entanglements. He who flies from them flies to degradation and exile. He stands alone amongst his species, cast out from the very family of mankind;

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disowned and abandoned amongst the common progeny of nature

Gentlemen, I am no advocate for these opinions. But I am reminding you, that in the military life, where the good opinion of mankind is the vital air which we breathe, these prejudices have acquired a strong and inveterate dominion, and that there are circumstances of extreme insult and indignity, under which without any unwarrantable exercise of candour you might suppose, that a young man, whose prospects of present comfort and future advancement wholly depend on the profession into which he had entered, must be compelled to bend to public opinion. Again, let me declare, that I am no advocate for these maxims. But he who condemns them cannot always oppose them. Religion discountenances them. The law inhibits them, but unhappily example sanctions them, and it is to be feared, that this conflict will continue to be unequal, so long as human weakness is driven to choose between the silent approbation of the heart, and the solitary triumphs of the conscience on one side, and an exile from social life, and a lugubrious existence amidst the scoffs and reproaches of the world, on the other.

Gentlemen, my life is in your hands, I know that you will execute your duty faithfully and conscientiously. But I trust that your verdict will restore me to society by delivering me from an accusation, which imputes to me that deliberate malignity, which never influenced me in any transaction of my life, and which, I trust, also, will be found not to have entered my bosom, in any period of this most lamentable dispute."

Mr. Maish and Mr. Greenway

counsel for the prisoners, then called

Captain Shea, of H M's 14th regiment, who stated that he was near the poop just before dinner on the 11th of October, when he heard the deceased address Mr Robison in the following language, "you are a cowardly lying scoundrel, you are a damn'd liar, and I will thrash you as long as I can stand over you," that this language was used in the presence of nearly all the officers of the regiment.

Mr Jackson, surgeon, swore, that he was on deck a short time before dinner on Sunday the 11th of October. He was walking with captains Shea and Staniers. Mr Robison joined them. The wind was fresh. They were on the windward side, and Mr Matthews was walking on the same side. The ship gave a lurch, and Mr Matthews touched Mr Robison's elbow. Mr Matthews instantly said, don't shove me, Mr. Robison. Mr Robison denied his having pushed him, and that it was the roll of the ship. The next turn Mr Matthews said, if you jostle me again, I shall knock you down, and afterwards said, "you are a blackguard," and continued abusing Mr Robison, who said to me, is it possible for flesh and blood to bear this? Mr Robison retired towards the cuddy door, where a number of officers were waiting for dinner, that the deceased came up and told Mr Robison he was a lying scoundrel, a coward, and other opprobrious epithets. The conversation on the quarter-deck was in a low tone of voice, but the language used by Mr Matthews to Mr. Robison, as he was going into the cuddy, was in a very loud voice as if it was intended to be heard by every body---Mr. Jackson sat by Mr.

Mr Robison at dinner, when he appeared to be much distressed.

Cross-examined by Mr Anstuthen --- Has known Mr Robison and Mr Rawlins for three years, knows Mr Robison to be a peaceable and well-disposed character --- does not think him capable of harbouring malice against any human being.

Captain Henry confirms the evidence of the preceding witness, as well with regard to the abusive language at the cuddy door, as to the peaceable character of Mr Robison. Mr Rawlins he stated to have been the subaltern of his company ever since he had joined the regiment.

Lieutenant-colonel Watson, the commanding officer, and major Miller, of the regiment, gave the prisoners an excellent character, and stated that they had never known either of them engaged in any dispute whatever since they had joined the regiment.

Captain Shea, re-examined by Mr Marsh, states that Mr Robison is the subaltern of the company he commands, and from his knowledge thinks him incapable of harbouring malice against any human creature.

The learned chief justice summed up, and stated with great perspicuity the principles of the law of homicide.

The Jury retired for half an hour, and brought in a verdict of *Not Guilty*.

LAW.

Sessions of Oyer and Terminer.

Jan 27. — On Thursday last, the Quarterly Sessions of Oyer and Terminer, and general gaol delivery, were held at Madras, before the honorable Sir T. A. Strange, knight, chief justice, when the fol-

lowing gentlemen were sworn of the grand jury —

B Roebuck, Esq.	Foreman
Mingo Dook, Esq.	J. Binny, Esq.
T. E. Hurdis, Esq.	J. Burnaby, Esq.
J. M. D. Vail, Esq.	V. J. Jaggi, Esq.
R. Sherson, Esq.	G. Knox, Esq.
G. Strachey, Esq.	D. Pugh, Esq.
E. Cox, Esq.	J. Binny, Esq.
W. Cook, Esq.	E. D. nit, Esq.
M. T. Harris, Esq.	J. Hodgson, Esq.
W. Oliver, Esq.	M. Roworth, Esq.
W. Abbott, Esq.	

The chief justice, addressed the grand jury in the following terms —

Gentlemen of the grand jury, — The interval since the last quarterly sitting of this court has, according to the report of the calendar, accumulated a number of cases for that enquiry to which you have been just sworn — You are pledged by your oath to make them with impartiality, independently of which, your station and characters in society confirm the assurance that they will be conducted with that attention which is the first requisite towards forming a sound judgment, and with that discrimination that is essential to the discovery of truth --- The charges that will be brought before you consist, as usual, principally of simple larcenies, with the addition however of at least two very bad cases of homicide. It is indeed quite melancholy, and not a little opprobrious to the British name in India to reflect, that in a battalion of one of his Majesty's regiments, serving at present at a distant station under the government of this presidency, there appears to have diffused itself such a spirit of rancour, and such a hardened wantonness exists, that if not diligently enquired into and repressed by the most exemplary penalties of the law, must bid fair to

to excite in those parts in which, unhappy to them, the corps to which I had assigned, a repetition of something like those scenes of horror at which, in a neighbouring garrison, to whatever causes to be ascribed, it is not yet so very long since the stoutest here were appalled. Whence the delusion has sprung, I know not, but it would seem to be the opinion of the privates of this corps, that, in order to be discharged from it, they have only to commit an murder, and for this purpose it would appear to be sufficient with them at all times, that a native is a hind. To excite to it, no provocation entirely is wanted, or wanted for. It is indubitable sufficient with them for the perpetration of the most enormous of crimes, upon unoffending and defenceless fellow creatures, that it will be the means (it seems) of getting to Madras. What the speculation may be beyond this I profess to be ignorant. The instance is by no means new. There have been more than one of the kind in my personal experience, and they have terminated in capital sentences founded upon the clearest convictions, and under which the desperate and wretched culprits have suffered. A case of a similar description, as it should see us, will be before you, upon which I think you will be of opinion, so far as I can gather from the informations, that you can have but little option as to the propriety of finding a bill. I may make the like observation upon the other homicide. You will, I fear, have reason for deeming them both to be cases that will scarcely admit of your balancing, as to whether the bills that will be submitted to you, shall or shall not be found.

The chief justice made some remarks on the offence of larceny,

as connected with the particular cases in the calendar, and concluded with referring the grand jury to the commencement of their enquiries into the matters preferred to them.

An indictment was found against W. Smith, matross of the 1st battalion of artillery, for the wilful murder of his wife, Victoria Smith, on the 23d of July last, at Quilon, in the dominions of the Rajah of Travancore, by giving her several mortal bruises, of which she died.

The prisoner was tried on Friday last, and the following is an extract of the proceedings.

It appeared by the evidence of several witnesses, that, at about five o'clock in the afternoon of the day stated in the indictment, the prisoner had found his wife in the kitchen of a neighbour in a state of intoxication. In consequence of which he gave her several blows on the face and head with his fist; and then taking her by the arm, pulled her out of the house, she abusing him all the time. When arrived at the road, in the front of the kitchen, she fell down, (whether from intoxication alone, or by a blow from the prisoner, did not clearly appear,) and the prisoner then gave her three kicks on the breast with his foot, (one witness said he jumped upon her,) but desisted from further violence, on a woman present representing to him that he ought not to beat his wife. The deceased was then taken into the house, and the prisoner went away. About seven in the evening, the prisoner returned to his house just as his wife expired, upon which he threw himself upon the body and cried very much.

It further appeared that the deceased was in the habit of getting intoxicated.

intoxicated, and that in order to procure liquor, she would spend all her husband's pay, and even sell his clothes.

Mr. Wyse, a surgeon, deposed to the appearance of the body of the deceased, which he examined after death. There were externally on the chest several bruises; between the flesh and ribs there was a large quantity of extravasated blood, as well as in the cavity of the thorax, immediately beneath the port externally discoloured. There was no appearance of any large blood vessels having been ruptured. The bruises on the head were merely superficial. The surgeon had no doubt that the blows she had received had been the cause of her death.

The prisoner in his defence said, that he was himself in a state of intoxication, that he was provoked by constantly finding his wife drunk, and by her abusing him, to strike her, but without any intention of doing her any serious mischief.

The learned judge summed up the evidence with clearness and precision, and the jury, after retiring for near an hour, returned with a verdict of *Manslaughter*. Judgement was postponed.

On Saturday last, W. Cogan, private of his Majesty's 34th regiment, was tried for the wilful murder of Roshumbeg, sepoy of the 2d battalion 7th regiment Native infantry, at Bellary, on the 27th of September last.

It appeared in evidence, that the prisoner and the deceased were each doing duty as sentinels over three prisoners, confined in a choultry near the main guard. The prisoner mounted with his bayonet *only* in his hand, and his firelock was placed against the wall on the outside of the choultry.

About four o'clock in the morning of the 27th, the guard, who were going the rounds, heard the report of a musquet, and concerning the sound to come from the spot where the prisoner and the sepoy were on duty, proceeded thither. They found the sepoy lying bleeding on the ground, and the prisoner walking quietly on his post near him, with his bayonet in his hand. The prisoner's musket was lying about three paces from the deceased, and the corporal of the guard observed it had been recently discharged. He asked the prisoner how the deceased came in that situation? He replied that the sepoy had shot himself, that he must have taken *his*, the prisoner's musket, whilst he was within side the choultry. On the arrival of the officer of the day, the prisoner said, he had observed the sepoy fiddling with his musket, and that he shot himself whilst he, the prisoner, was marching on his post with his back towards the deceased. The officer, on examining the body, found the man shot in the back, and on looking at the firelock, observed there was no string to the trigger by which the man could have managed to have shot himself in such a part; he therefore directed the prisoner to be relieved, taken into custody, and confined in the main guard. Here the prisoner's pouch was examined and was found to contain twelve rounds of ball-cartridge, which was the number with which he had mounted guard. The pouch of the sepoy was also examined, and six rounds were there, which also was the usual allowance.

A private soldier stated his having missed a ball-cartridge out of his pouch, during the morning of the 20th of September, and which

circum-

circumstance he repeated to the sergeant and corporal of the guard

A corporal and two privates proved, that in the afternoon of the 20th of September, the prisoner had told them that he would take his own life, or that of some other person before he went off guard. To one of them, of the name of Green, he said, if you hear of any thing happening to me, take care of my clothes which you have got from the washerwoman. A soldier of the name of Riley had heard Cogan say, during that day, that in fourteen days he would be on his way to Madras.

The deceased died, it is supposed, immediately after he received the shot.

Mr Bruce, assistant-surgeon, stated, that he examined the deceased, and had reason to think the ball had entered by his back, because the deceased's clothes had been torn in that part, singed, and covered with gun-powder, not merely his outer jacket, but also a calico waistcoat underneath. The ball had entered at the interior extremity of the shoulder, and had come out just at the nipple. The wound *before* was somewhat *lower* than the wound *behind*, which induced him to think, that the ball had been fired from a position somewhat elevated.

Witness observed there was no string to the trigger of the prisoner's musket. His no doubt that the wound through the sepoy's body, was the cause of his death.

The choultry had a few steps up to it, and the centinels were to parade in front of this, on the level ground.

The prisoner in his defence said, that he was planted centinel with his bayonet, and placed his musket

against the wall of the choultry, at two in the morning of the 27th of September, that at four o'clock he heard the report of a musket, that he *then* came out of the choultry, not *before*, and seeing the sepoy lying bleeding, he called out loudly three times to the sergeant of the guard.

The prisoner called three witnesses, who stated that they heard the prisoner call out for the sergeant of the guard. One of these soldiers said, as he was going to the Bazar, he saw, as he passed the choultry yard, a sepoy go into it. This was about ten minutes before he heard the report of the musket.

None of the witnesses examined during the trial, except the three before stated, had ever heard the prisoner say, he would take his own, or any other man's, life, nor that he wished to go to Madras.

Sergeant Derby and corporal Woodcock gave the prisoner a good character.

The learned judge now summed up the evidence, commenting on every part of it, and explaining, with perspicuity, how the various parts of it affected the prisoner, either as it tended to his condemnation or acquittal. Having also stated the law of the case, as requiring the proof of malice in a charge of murder, and shewing how far the prisoner had evinced a malicious intention, (supposing him to be the man who had actually fired the shot from the musket) he left the facts to the determination of the jury. The jury then retired, and returned in about half an hour, with a verdict of guilty.

The prisoner was then removed from the bar to be brought up for judgment on a future day.

The

The following detail of the practical seizure of the brig, Admiral Troubridge, by part of her crew, communicated by Captain A Wallace and Mr. Thomas Barnes

" On the 21st of August, 1807, the brig, Admiral Troubridge, was lying at anchor off the Island of Sooloo. At about five, P M we were on board, when captain Wallace gave his directions about the duty of the ship, and we returned to the shore about seven in the evening. At this time the crew appeared satisfied, and no apprehensions were entertained for the safety of the vessel. About midnight we were alarmed by our people stationed at the house for a guard, with information that a gun had been fired on board, and that the brig was under weigh, standing out from the roads, we observed her for some time, supposing that she was shifting her berth, but finding that she was drifting fast to the north-east part of the island, with little wind, we conjectured the vessel was cut off, though at a loss to know by what means. As the people on shore were quiet, and no boats seen moving on the water, we concluded that the crew must have over-powered the officers and seized the vessel.

" Mr Barnes then waited on the head datoo, and begged of him to order out the prows after her, but at that hour it being impracticable, he promised to dispatch them as soon as they were ready.

" In the morning of the 22d, the brig was in sight from the house, the wind having been light and unfavourable for clearing the island, we waited on the Sultan, and begged he would send the prows out immediately. And in

order to hasten their dispatch, offered a reward of 5000 Spanish dollars to those who should retake the vessel. He consulted with some of the principal people, and desired us to go to the head datoo, who would give orders respecting the prows. On seeing him we were informed, that a boat had left the brig with four men, and captain Wallace was so well persuaded of the truth of this report, that he armed himself, and embarked in a small boat, with some Sooloonese and Seacunny, determined to get on board if possible, under an idea that if the ringleaders had left her, the lascars would assist him against any others who might be concerned in the mutiny.

" He reached the brig sufficiently to hear the people working, before he found the report untrue; and then received the discharge of six guns and swivels from the stern; on the firing of which the Natives jumped into the water, excepting one man, who stood up, and fired two muskets at the brig. He then returned, and reached the town in safety, between ten and five o'clock that afternoon, having left her with all sail set, standing to the eastward.

" In the evening, the datoo left the town, with three large prows well manned and armed, accompanied by his own chosen slaves, it then being calm, and the advantage of rowing, we had great hopes of his coming up with the vessel.

" Between one and two o'clock of the morning of the 23d, we were much surprised with the appearance of Mr W Sharpe, the chief officer, covered with blood, and severely wounded. He had been sent away from the Brig the preceding evening, with two Sallowies and three others, not concerned

cerned in the mutiny, and from them we learned the following particulars —

“ Mr Sharpe stated, that he retired to his cabin about nine, P M on the 21st, and left Mr C B Lloyd, the second officer, in charge of the deck, from eight to twelve, and had not the least apprehension of danger from the crew, knowing of no disaffection. That to the best of his knowledge, it was between eleven and twelve, when he was alarmed with some cries, and a noise like clashing of swords, on which he ran to the steerage, and looked up the hatchway, when one of the people made a stab at him with a boarding pike, he returned to his cabin for fire-arms, and a Mamilla Seacunny and Malay Lascari rushed down with cutlasses, on whom he discharged a pistol, and wounded the Seacunny in the arm. The report of the pistol deterred others coming down for some time, till a Sepoy stationed below as a guard, seized him round the waist, and called to others for assistance. In this interval Mr Sharpe called on Mr. Lloyd, and received no answer, for, alas! Mr Lloyd was no more. Shortly after many others came down, and he was overpowered, after defending himself to the utmost. In the tumult he received a severe cut in the neck, which, with many other cuts and stabs, occasioned a great loss of blood, so as to render him unable to stand, and the villains then supposed he was murdered. Finding, however, he was not dead, they extended their mercy so far as to bind his hands behind, and lashed him to a standing cot in his cabin. Shortly after he heard a gun fired, and the noise of bending sails, in which the seiang appeared very active,

for his voice was heard repeatedly cheering the people. Mr Sharpe knows nothing more of their proceedings till about eight o'clock in the morning, when he was removed from the cot, and placed in irons spiked to the deck. About six in the evening they came to a resolution, to send him on shore in one of the bug's boats, with five others, as before described.

“ The two Seacunnies, who landed with Mr Sharpe, stated, that, on the night of the 21st, they were sleeping near the capstern, and were awoken by some cries, and a bustling on deck, on which one of them ran forward, and got on the forestay, supposing the shore people had boarded the vessel, and he there saw a Malay Lascari cut the cable; the other Seacunny saw the Malay Lascaris on the quarter-deck, armed with cutlasses, and Mr. Lloyd lying on the deck. He attempted to raise him, and found him bloody. This Seacunny was ordered forward immediately, and with the other was sent below, and the hatch put over them, where they were kept till about four o'clock in the morning, and then ordered up with a promise, that their lives should be spared, if they assisted in working the bug. Mr Lloyd was then found dead, and the gunner lying with many wounds, on his shewing some signs of life, one of the Lascaris killed him with a crow-bar. At sun-rise then bodies were thrown over board.”

The pirates got safely off with the bug.

Jan 30 — The honourable the governor gave a public entertainment, on Wednesday last, in honor of the birth of our most gracious Queen. The principal inhabitants of the settlement began to assemble.

assemble at the banqueting room about nine o'clock, and before ten the dancing commenced.

His highness the nabob, accompanied by his son, and attended by his principal khans, arrived shortly after ten o'clock, and was conducted by the hon. Sir G. Barlow to the

upper end of the room, which had been prepared for his reception. The supper tables were laid in the gallery of the banqueting room and covered with every luxury.

His highness the nabob retired before supper.

Occurrences for FEBRUARY.

February 2 Wheat is selling as low at this presidency as 55 p. goudas per garce.

February 10. A medical fund, partaking of the nature of the civil fund, has been newly established, under the sanction of the government, which has authorized stoppages to be made from the pay of the subscribers, and has given it every other requisite facility within its power.

TRANQUEBAR, Feb 12. The Danish ship ———, late the *Mangles*, has arrived at this place to day from the Isle of France, left it the 21st Dec.—The *Mangles* was purchased at the Isle of France for 15,000 dollars, and the *Susannah*, another prize, for 10,650 dollars.

February 25 The expedition fitted out from this presidency, at the desire of Sir E. PELLW, for the purpose of destroying the naval force of the Dutch, has completely succeeded in its design. It will be recollected, that five companies of the 30th regt. with one company of artillery, proceeded from Madras Roads, on this important service, which was reinforced at Penang, by the royals and the 34th. They arrived at the scene of action early in December last, when the following correspondence took place between Sir E. Pellew and the Dutch commander previous to

the burning of the Dutch men of war:

To the commanding officer of the Dutch ships at Griessee and Sourabaya

“ H M S Culoden
Sourabaya Roads Dec 6 1807

“ SIR,—The British are the natural friends of the Dutch. We are impressed with correspondent sentiments. It is become our duty to prevent the Dutch ships of war from acting under the controul of France, in hostility to the British. If you, Sir, shall consent to give up the Dutch ships and vessels of war, and all others under French colours, now lying at this port, we shall forbear from any measures of violence against these settlements or their inhabitants. If our proposal is accepted, we shall retire without molestation from the town and garrison, after receiving necessary refreshments, but should this pacific offer be rejected, we can only regret the necessity of commencing immediately those hostile operations which our naval and military forces are jointly prepared to accomplish.

“ We have appointed a commission, consisting of an officer of his Majesty's navy, an officer of the military forces, and the secretary to the commander in chief of the British squadron, to present to you this

this letter. They will have the honour to receive in person your immediate answer to our proposals, which we shall await with impatience, and we must consider any hostile movement as the signal for your rejecting an offer which we trust you regard to the lives of those under your authority will induce you to accept with alacrity. We have the honour to be, Sir, your very obedient servants,

(Signed) EDWARD PELLEW,
" Rear Ad and Com in Chief of
H B M Squadron in India

(Signed) WM LOCKHART
" Lieut Col Com H B M Land
Forces "

The commanding officer in the service of his Majesty the King of Holland, residing at Griessee, to his excellency the Rear-Admiral Pellew

The letter addressed to the commanding officer of this place has been this moment handed me by the commission which you appointed of three gentlemen in the service of his Britannic Majesty

You will have the goodness to observe, that my duty as an officer in the service of his Majesty the King of Holland prevents my suffering either your boat or people to return whatever injury the chance of war might expose us to, would be miserably obviated by attending to the proposals which you have thought proper to make. With the greatest respect,

I remain, &c.

WILLIAM COWELL.
Griessee, Dec '6, 1807.

Proposals made to the governor and council of Sourabaya, by his excellency Rear-Admiral Sir Edward Pellew, Bart. commander-in-chief of his Britannic Majesty's squadron, and Lieut.-Colonel

Lockhart, commanding the British land-forces before Griessee

Preliminary.—The unjustifiable violation of a flag of truce by M Cowell, commandant of the Dutch naval force in this harbour, in arresting the gentlemen appointed as a commission to treat for the surrender of the Dutch men of war at Griessee having excluded that person from all further correspondence with the British, the following articles are proposed to the governor in council.—

1 The object of our operations in this quarter being the destruction of the Dutch men of war at this port, and those ships having fallen into our possession by the surrender of Griessee, the purposes of the commission above-mentioned have been fully answered already. A We have nothing to reply to this article, since the ships of war and garrison of Griessee are already in possession of your excellency

2 The services of the British naval and military forces are not directed against the property of individuals. We have already expressed our desire to leave them unmolested. Sourabaya will not be subjected to violence, and the declaration of the governor and council, that no Dutch vessel of war remains there, will be received as a security to that settlement.—A. We engage our word of honour, that there is no other vessel of war at this place belonging to his Majesty the King of Holland.

3 The Dutch ships of war at Griessee, with the naval and military stores in the garrison, will be destroyed by the British before their departure. The private property, and the provisions and other stores (not military) will remain

in security — A The answer is the same as to the first article

4 The battery of Sembelangan, on the Island of Madura, is likewise to be destroyed, and in order to obviate the necessity of employing force for the execution of that service, it is proposed that orders shall be issued by the governor and Council of Sourabaya for the purpose, a British officer and party of troops being admitted into the Fort for the completion of the same — A We are compelled to acknowledge that the destruction of Sembelangan, by the artillery of the English ships, is in the power of your Excellency, and that we are unable to oppose any resistance But the generosity which your Excellency has hitherto exhibited towards Gnessee, assures us that it cannot be your intention to shew us any insult by compelling us to the necessity of submitting to the destruction of the battery by your troops, we therefore request that you will relax from this article upon our engaging to disarm and demolish this battery at the same time

5 The governor and council of Sourabaya will send boats to the British squadron for the purpose of receiving water casks to be filled with good water at Sourabaya, and returned to the fleet with every practicable dispatch; about 300 tons will probably be required — A They shall be sent as soon as possible

6 For the refreshment of the crews and military forces on board his Britannic Majesty's ships, it is

desired to purchase, at the usual market price, about 300 head of cattle, which the governor and council will be requested to give orders for furnishing as soon as possible, and such fruit and vegetables as the person appointed to receive the same shall determine Ready money in Spanish dollars to be paid for the articles so purchased — A. They shall be delivered

7 Upon the acceptance and fulfilment of the above conditions by the governor and council of Sourabaya, the commander in chief of the British squadron, and the commander of the land forces on board them, consent to return without further molestation to those settlements, the security of which, under these voluntary proposals, will be guaranteed to the governor and council of Sourabaya, under our joint engagement — A These articles shall be fulfilled. In faith of which we have hereunto set our hands,

The governor and council of Sourabaya

(signed) J P ROTHENBULLER,
D T VON ALPHEN,
C VON FRIMMERMONT,
J VON YSLIDYK.

Sourabaya, 9th Dec 1807.

Given under our hands on board his Britannic Majesty's ship Culloden, before Gnessee, 9th Dec. 1807.

(Signed) EDWARD PELLERW,
Rear Admiral and Commander in Chief of
his Britannic Majesty's squadron

(signed) WILLIAM LOCKHART.
Lieut-Col commanding his Britannic
Majesty's troops.

(A true copy.)

EDW. HAWKE LOCKER.

Occurrences for MARCH.

March 3 Dr Anderson has discovered that the Kew Nopal, which is so far an air plant as to
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preserve life, and the capacity of vegetation for months, after an entire removal from the earth or watering
† L

watering gardens, has peculiar qualities, for the preservation of scurvy in seamen. The taste of the plant is said to resemble the sorrel. It has been used on board several of his Majesty's ships in the Indian seas, with very good effect, both in a crude and boiled state.

March 5.—On Wednesday morning admiral Drury went to the company's man, for the purpose of inspecting the difficult and complicated machinery at that building, and examining the model of a 74 gun ship which has been built on a spot adjacent, for his highness the Nizam.

This model is on a scale of one and a half inch to a foot. The hull, sails, mast, rigging, ordnance, even to the minutiae of hammocks, and every appendage, renders it one of the most complete and perfect representations of a man of war ever produced.

On the admiral's arrival the ship fired a salute of fifteen guns, from the main deck, much to the gratification and astonishment of the party assembled; and admiral Drury was pleased to express his highest approbation and praise on the perfectness of the undertaking.

It is the intention of his highness the Nizam to have the ship constantly afloat in one of his largest trunks.

March 10.—On Saturday last the picture of major-general the right honorable Sir A. Wellesley, K B voted by the inhabitants of Madras, was placed in the exchange of Fort St George. It is painted by Hopner, at the selection of Sir Arthur, and is a striking likeness.

March 12.—The honorable the governor in council has been pleased to sanction the establishment of

a military fund, the objects of which are—

1st To provide for the families of officers, whose death leaves them destitute of an adequate maintenance.

2d To assist officers, unprovided with aid, by the regulations of the service, or from their own resources, under such circumstances of urgent sickness, as may render a voyage to England necessary for the preservation of their lives.—

And 3d To afford such further aid, as the state of the funds shall admit, in other cases of less urgent necessity.

Lieutenant-colonel Capper, adjutant-general, was elected president,—and the following officers directors of the institution.

Lieut. col. Bell.	Capt. Brauman.
Lieut. col. Munro.	Capt. Marshall.
Rev. Dr Kerr.	Capt. Grant.
Major Barclay.	Capt. Prendergast.
Major Trotter.	Capt. Noble.
Major Boles.	Capt. Thompson.
Secretary and Accountant,	
Captain Marshall.	

On Monday morning his excellency the commander-in-chief reviewed the squadron of horse artillery at the race stand. The state and order of this eminently useful and valuable corps, the skill displayed in all its evolutions, and the precision and rapidity of its movements, received the unqualified approbation of the commander-in-chief; and his excellency was pleased to bestow on captain Noble, the commanding officer, in front of the squadron, the commendations he has so well merited, for his zeal, judgment, and assiduity in bringing this excellent corps to its present perfection.

March 13.—On Thursday evening Mr J. Parr, of the firm of W. Parr and Co. and Mr. J. Bean, late

late commander of the ship, Scotland, were returning from a drive in the Mount Road, when the horse took flight on the bridge near the government gardens, and the reins breaking, Mr Parr, in jumping from the bandy, unfortunately fell

on his head, fractured his skull, and expired a few hours afterwards. Captain Bean providentially received no other injury than violently spraining his wrist and ancles.

Occurrences for APRIL.

April 4.—The following account of an inundation and earthquake, at Padang, has been just received.

PADANG, Feb 15 —“ You know we are very subject to inundation, by the river overflowing its banks, and making Padang a complete sheet of water, and that it sometimes enters houses which are low built. On the 20th of last month, we had a great deal of rain, and the river had overflowed in the common way, that is to say, about one or two feet of water in the streets, and in some places three, which subsided again next morning, though the rain did not cease. The weather continued so the whole day, and at night upon the 21st, at about ten o'clock, the water rose suddenly to an alarming height, with a current running through the town at the rate of seven or eight knots, carrying every thing before it. It was dreadful to look down from my verandah — My house is about ten feet elevated from the level of the ground, and the part of the town where I live, pretty high, yet I had only two of the upper steps free. I leave you to judge what my sentiments must have been, when I looked towards my wife and little children clinging round me, who could not have preserved one of them from destruction had the water come a little higher. I do not know any calamity, with which human na-

ture is afflicted, equal to an inundation, and particularly in a place like Padang. As soon as the waters rises, every body is confined at home, and employed in securing what can be obtained not within the reach of the water. In a common Barjiei, or high water, our servants can go in canoes, from one house to another, and even in the bazars, but on the night of the 21st, it would have been inevitable destruction to attempt it, and we had the horrid prospect of perishing one after another, without being able to render any assistance to our neighbours, although our houses are close together. When the water first rose, I got all my people employed in carrying my sheep (which I kept under the back part of the house) to a place of safety; but saw the water rising so rapidly, that I was obliged to leave the poor creatures to their fate, and try to save a few bags of rice, to preserve us from being starved, if we should escape the fate with which we were threatened by the watery element. My stock of sheep were all swept away, and I found next day, that my precaution had not been needless, for all my neighbours, who had not been so provident as myself, in keeping a stock at home, and the communication with the bazar being cut off (where even the Malays themselves were also in the greatest distress)

distress) sent to my house for the necessary articles of food, which by good management lasted us until the waters subsided. On the night of the 21st, at about half past eleven, two Malay huts passed before my house, carried away by the current, but I believe there was nobody in them, as no cries were heard. One of them got foul of Mr L's house, and nearly carried it away. The cries of distress in every part of the town, and the adjacent bazars, were dreadful to hear. The waters rose and fell until the night of the 23d twice, and sometimes thrice during the twenty-four hours, and had nearly subsided at seven in the evening, when they rose suddenly again, and at nine o'clock, when they were at their height, we had a most terrible shock of an earthquake. It was then that our situation became truly alarming. Every one recollected the dreadful night of the 12th of February, 1797, when the sea, rushing into the river immediately after the first shock, had nearly carried away the whole town. How impossible it is to form any kind of judgment of the approach of such awful convulsions of nature! It is not in the memory of the oldest man here to have felt a shock during an overflow of the river, and we had then been four days under water. As my house is at a great distance from the river, and well elevated from the ground, every person of my acquaintance came to me for shelter, expecting every moment to see the waves of the sea rush in and swallow up the whole. However, we were quit of it with our fears, for the waters fell as quickly as they had risen immediately after the shock, but I am sure that no miserable wretch, condemned to die the next

day, ever passed a more painful night than the inhabitants of this place, or was ever morning wasted for with such anxiety. You know, that my friend L's house is situated on the very brink of the river wharf. When he saw the water rising so fast on the night of the 21st, he tried to come over to our office, which is a brick building, adjoining to his house, but he found it impracticable; hence, he, his family and two gentlemen, living with them, were obliged to wait their fate where they were; and had the water risen six inches more, (his house being upon wooden posts, without any foundation, but merely laid on the ground) they would have inevitably been all carried out to sea, without any possibility of helping themselves.

The lives lost in this calamity are supposed to be about three hundred, and the property lost and destroyed is supposed to amount to upwards of a lac of dollars. The beach, for many miles to the northward, was strewn with dead bodies. At some distance from the bazar, a large baby-baby, or long room, had been for a long time built, for the reception of the hili people, when they came down to purchase goods; it was situated at the head of the river, in the bottom of a valley. The night before the inundation, thirty of these people had taken up their lodging there, and intended to proceed on their journey the next day, but the water rising, they were obliged to remain there, and on that fatal night they were all swept away, together with the gold dust in their possession. A little to the northward of this place, a hill was thrown down by the earthquake, and half the inhabitants of a village, which stood at the

the foot of it, crushed and destroyed by its fall.

From the 24th November, to the 1st of December, we had very fine weather, although extremely hot, the thermometer being ninety at noon, in the shade. At half past eight P M on the latter date, we had two very dreadful shocks of the earth, which lasted twenty-five seconds, much more severe than the one on the 23d ultimo. It is remarkable that all other earthquakes, which had hitherto happened here, had always been felt throughout the whole island, and almost at the same time; yet by letters from Bencoolen, it appears that they have not felt any there, nor experienced any of the bad weather, but at Nattai, which is as far to the northward of this, as Bencoolen is to the southward, the waters have destroyed all the bazar, and carried away a great many people and craft lying in the river, and the earthquakes have been equally as severe as here.

April 28 — On Monday last arrived his Majesty's sloop Victor, captain Groube, accompanied by a very rich Danish ship lately from the Isle of France. We understand the Victor, during her cruise to the southward, captured seven Danish vessels, laden with articles of considerable value.

A salute of fifteen guns was fired on Thursday last, on the arrival of the honorable Alexander

Johnson, one of his Majesty's justices in the island of Ceylon.

April 30 — The penitent behaviour of W Rice, of his Majesty's 69th regiment, one of the unfortunate sufferers at the gallows on Saturday last, attracted general notice. During his confinement in prison, and the short period he had to prepare for his entrance into eternity, he exhibited strong symptoms of contrition and resignation; and when he came to the fatal spot he appeared uncommonly solicitous to impress his fellow soldiers, (who were very properly drawn up to be witnesses of the execution) with a just sense of his lamentable situation.

"He hoped, (he said) that they would all take warning by what they now saw before their eyes. Three poor wretches, then fellow-soldiers, meeting their fate for their crimes. He advised them, as the best means of guarding against the alike calamity, above all things to avoid the abominable practice of getting drunk, which was the principal source of all the calamities that might befall them through life, and often brought to an untimely death many who might otherwise have been useful members of society. He freely forgave all his enemies, and he trusted that God, through the intercession of his Redeemer, would forgive him."

Occurrences for MAY.

May 3. — The honorable the governor in council having resolved, that the camp equipage maintained by commanding officers, for the use of Native corps, shall be pur-

chased by the public, on the expiration of the existing contract, at valuations to be certified, upon honor, by those officers respectively, is pleased to order and direct,

rect, that the tents attached to Native corps shall be delivered over on the 31st instant, to the

officers of government, and charged for, in bills supported by declarations upon honor.

Occurrences for JUNE.

June 8 —Advices from the east mention, that lieutenant Panton, an officer of marines, and a boat's crew of the Fox frigate, having been sent on some service on the coast of Manilla, had, from the explosion of the boat's magazine, been unfortunately blown up, and the whole party had perished.

June 9.—Saturday last being his Majesty's birth day, the Union-flag was displayed at Fort St George, and seventy guns, corresponding to the number of years his Majesty has lived, were fired at sun-rise. A royal salute was also fired at noon, from the battery of the fort, and from the nabob's palace at Chepauk. His Majesty's ships in the roads were beautifully decorated, and at one o'clock the different ships fired a royal salute.

June 11 —The government commands at this presidency have been

reduced to eight, viz.—Malabar and Canara, with Cananore; Tinnevely district with Palamcottah; Bangalore, Wallajabad, Arcot; Vellore, the Hydrabad Subsidiary force, and the Subsidiary force at Travancore. In lieu of these the government have given an increased batta to the commanding officers of corps.

Yesterday morning anchored in the roads, L'Union, French privateer brig, of eight guns, sixty Europeans, and twenty Lascars, commanded by Mons J Almond, and captured by his Majesty's ship Culloden, off Ceylon, after a chase of two hours. From the Isle of France twenty-seven days, and fortunately had made no captures.

A frigate from Europe, named La Caroline, of 44 guns, had arrived at the island prior to the sailing of the privateer.

Occurrences for JULY.

July 12 —By the fleet lately arrived from Europe, the honorable Sir Thomas Andrew Strange, his majesty's chief justice of this settlement, having received a special commission for establishing at this presidency a Vice Admiralty Court, with several warrants from the Lords of the Admiralty, addressed to him as the judge, the various persons intended to fill offices in the new jurisdiction, with others, met

at nine on Tuesday morning, the 9th instant, at the chief justice's garden on the Spui Tank, and, having breakfasted, proceeded with him to the court-house, where he and they arrived about eleven, and soon after Sir Thomas Strange entered the court, and taking his place upon the bench, proclamation having been first made for silence, the commission was read and published, when Sir Thomas immediately administered

ministered to himself the several oaths incident to the office it confers

This commission constitutes Sir Thomas Strange his Majesty's commissary in his Vice Admiralty Court of Madras and the territories thereunto belonging

It enumerates particularly, as well as generally, every object of his jurisdiction as such, detailing and defining the powers of the court with a reservation of a right of appealing to the high Court of Admiralty of England, and saving also in all things the prerogative thereof

Sir Thomas Strange then proceeded to appoint Henry Gabagan, Esq. to be the registrar, William M^c Taggart, Esq. marshal, and Charles Maish, Esq. King's advocate, all of whom were thereupon sworn to the due execution of their respective trusts, after which Alexander Anstruther, Esq. the honorable company's advocate, was admitted and sworn an advocate in the new court, and Mr Robert Orme, the honorable company's solicitor, was appointed and sworn in as king's proctor, and other gentlemen as proctors

The warrants accompanying the commission from the high court of admiralty were then also read and published. They purport to have been issued by the lords commissioners for executing the office of lord high admiral of the united kingdom of Great Britain and Ireland, &c. under their hands, and the seal of the office of admiralty, bearing date the 10th of February, 1808; and to be addressed "to the Vice Admiralty Court of the settlement of Madras, and the Vice Admiral or his deputy, or the Judge of the court, or his deputy, now or for the time being;" in pur-

suance of commissions from his Majesty under the great seal of Great Britain, (copies of which are annexed) bearing different dates; directing and empowering the judge "to take cognizance of, and judicially to proceed upon, all and all manner of captures, seizures, prizes, and reprisals of all ships and goods that are or shall be taken within the limits of the said Vice Admiralty court of the said settlement, and to hear and determine the same; and according to the course of Admiralty and law of nations to adjudge and condemn all such ships, vessels, and goods as shall belong to ——— (the particular power referred to in the commission and warrant) or to any persons being subjects of ——— or inhabiting within any of the territories of ———"

They are seven in number, and are as follows:

1st. Against the ships and goods of the French republic, in pursuance of his Majesty's commission, dated the 16th of May, 1803.

2 Against the Batavian republic, pursuant to commission, dated the 16th June, 1803.

3 Against the countries styling themselves the Ligurian and Italian republic, under the commission, dated the 24th August, 1803

4. Against the king of Spain, pursuant to commission, dated the 11th January, 1805.

5. Against the territories and ports of Tuscany, the kingdom of Naples, the port and territory of Ragusa, and those of the islands lately composing the republic of the *Seven Islands*, and all other ports and places in the Mediterranean and Adriatic seas, which are occupied by the arms of France or her allies, pursuant to a commission

son, dated the 4th of November, 1807

6 Against the King of Demerari, pursuant to a commission bearing the same date

7 Against the Emperor of Russia, pursuant to commission, dated the 18th of December, 1807

These warrants are to be paid with particular attention to the Master in Council

The "insurre" and "prize" courts being thus constituted the justice set to hear motions, and then adjourned.

On reading the king's commission a royal salute was fired from the fleet ship in the roads and from the fort

July 17.—The governor in council has ordered a dividend of Seingapatam prize-money, arising from the value of captured ordnance and stores, and from the balance of prize property due by the prize agents, and has fixed the proportion on the scale of the original distribution at Seingapatam *

Occurrences for August.

Aug 1.—The committee appointed for the management of the Native poor (namely, for the following year), consists of the following names

M D B, Esq	Major Bachel
C Smith, Esq	G A Bachel, Esq
J H D Ogle, Esq	J Bachel, Esq
G Bachel, Esq	R C S, Esq
T B Bachel, Esq	J S Bachel, Esq
E C Bachel, Esq	J H D Bachel, Esq

Aug 15.—The commander-in-chief having completed his inspection of the troops at that station, quitted Trichinopoly yesterday afternoon, a squadron of cavalry, with a standard, was paraded to escort him to the banks of the river

The sixth regiment of cavalry was inspected again on Saturday evening, to examine the performance of the sword exercise, and the attack and defence; and the next morning the commander-in-

chief proceeded to the lines of the regiment, when his excellency minutely inspected the men, horses, accoutrements, &c

On Monday morning the whole line was out under major-general Bachel. The commander-in-chief arrived on the ground about sunrise when the manoeuvres commenced. Several evolutions of attack and retreat were performed, supported, and carried, as occasion required, by the cavalry and light infantry. The light infantry companies of the several corps formed one special corps, to be applied according to circumstances. The whole line under arms exhibited a fine appearance.

On Wednesday morning, the commander-in-chief inspected the artillery, under captain Fiancke, and expressed his satisfaction at their state of discipline and order.

* See the Government Notification.

Occurrences for SEPTEMBER.

Sept. 18 — On Saturday morning the 18th instant, a salute of seventeen guns was fired from the battery of Fort St George, on the occasion of his excellency Sir E. Pellew hoisting his flag on board his Majesty's ship Culloden, as Vice Admiral of the Blue. This salute was returned by the Culloden, after which seventeen guns were fired by each of his Majesty's ships in the roads.

Sept 20 — On the 5th instant came on a violent gale of wind, at Vizagapatam, which increased considerably until towards six o'clock in the evening, accompanied with a little rain. It first blew N W then N N E. N E by E. and latterly S. W. when the

gale was so considerably increased, as to force from their anchorage no less than twenty Pariah vessels, laying in the roads, laden with salt for Bengal, all of which were driven on shore, and went to pieces.

From the fort to Voltaire, a distance of about four miles, the shore is covered with parts of different vessels, which have been driven on shore. There have not been any lives lost. A vast number of poor people are ruined, as they purchased the salt, and were taking it on their own account to Calcutta.

The gale abated on the 6th, and there had been a great fall of rain.

Occurrences for OCTOBER.

OCT 18 — Yesterday a deputation of subscribers, Europeans, descendants of Europeans, and Natives, waited on the honorable Sir Henry Gwillim, Knight, at his Gardens, with the under-written address, when Mr John Branson, foreman of the deputation, addressed the honorable Sir Henry Gwillim, Knight, as follows —

HONORABLE SIR, — We the Europeans, descendants of Europeans, and Natives, here present, have been deputed by the subscribers, for the purpose of presenting to your honor this address.

All we have to add is, that as we are unanimous as to your merits, we consider ourselves highly honoured in having been deputed on this occasion.

COPY OF ADDRESS

To the honorable Sir Henry Gwillim, Knight, Justice of the Supreme Court at Madras, &c.

HONORABLE SIR, — We the undersigned Europeans, descendants of Europeans, and Native inhabitants of Madras, reflecting on your accurate knowledge of the law, your ardent love of justice, your disinterestedness, your easiness of access, your humanity and tender feelings for the poor and distressed, and on that spirit and firmness so necessary and so eminently possessed by you to establish the law of Great Britain, in a place where by many they have never been known, and by others but imperfectly, cannot but feel extremely
sorry

sorry to learn you are for a time to leave us

On this occasion, therefore, we should be extremely ungrateful, as well as void of public spirit, did we not, as we do, feel it our bounden duty to testify the sense we have of your public character, to offer you our grateful and warmest thanks, for your indefatigable exertions, to make the law known and respected, and to support us in our liberties and rights and it is with pleasure we add, the name of "Sir H Gwillim" will be ever dear to us and to all lovers of justice

That the Almighty may preserve your health, develope your merits to a grateful country, and from thence again restore you with increased powers to administer justice among us, is the ardent prayer of

Honorable Sir,

Your honor's most obedient
faithful Servants

Bearing 1006 Signatures
Madras, October 17, 1808

To which the honourable Sir Henry Gwillim, Knight, has been pleased to reply as follows —

Sir, 14th Decr October 20 1808.

SIR,—Give me leave to convey through you my warmest thanks to the Europeans, descendants of Europeans, and Native inhabitants of Madras, for the very kind and affectionate address which I have received from them by your hands I feel an honest pride in such a testimony to my public conduct, and though they far over-rate my humble services, yet I know that they speak what they think, and that it is not the language of adulation Indeed, I have in the address, a satisfaction not very common upon occasions of this kind. I am sure that it is the free and voluntary act of those who signed it. Whether I shall return to this

country must for the present be a matter of uncertainty, but if I should, it will be, I trust, with more efficient powers for the administration of justice Wherever I may be I shall always pray for the happiness and prosperity of my fellow subjects in India, both Natives and Europeans, and among the many obligations they have conferred upon me, I shall particularly remember the very handsome manner in which the address was presented to me by yourself and the respectable inhabitants who accompanied you to my gardens.

I am, Sir,

Your obliged and
obedient Servant,
H GWILLIM.

To Mr Branson.

On Friday the 21st of October, Sundry Chingalvaroyen, attended by many of the principals of his cast, waited on the honorable Sir Henry Gwillim, Knight, at his gardens, and presented the following address

To the Honorable Sir Henry Gwillim, Knight. Puisne Judge of the Supreme Court of Judicature at Madras.

MY LORD,—That during your lordship's administration of several years as Puisne judge in the Supreme Court of Judicature at Madras, no one spoke of your lordship's smallest deed without praising your lordship's amiable manners, humanity, and wise arrangement for the best of the country and its inhabitants. We are convinced by several occurrences that your lordship is the person possessing the love of all the inhabitants of Madras. Under your lordship's administration the inhabitants enjoyed true happiness and prosperity; your lordship's care for
their

their well-being extended itself so far as not only to favour them with due justice in honor of his Britannic Majesty, but also perceiving that a difference arose among us to hold their meeting for the performance of our ancient customs of our cast, which we have been deprived of since the death of our predecessor, who performed the same without the least tendency to a violation of their ancient rules, and your lordship's impartial justice in the above great matter done to our peace and everlasting benefit for the people in public. Although we cannot forbear returning our due praise, as it would be an evident mark of the greatest ingratitude to your lordship, we however are not desirous that this address should pass for an eulogy only---by no means, we intend and wish hereby your lordship will deign to accept from us this submissive address, as due to your lordship's merits, we therefore take the liberty to offer to your lordship this address, not as a recompence for the benevolence we have enjoyed, but (permit us to say) as a public acknowledgement of all the natives, we return again to your lordship with due deference, with prayer to the Almighty, to be your lordship's guide on leaving the country of our habitation, and to make your lordship's voyage prosperous. That your lordship may live long under the protection of the mild God! we pray that the supreme being whom we adore continue health to your lordship both in mind and body, and bestow all manner of happiness! May all your undertakings with his Britannic Majesty and the nation be crowned with success! May your lordship soon return safe hither again, that we and our families may be rejoiced, singing hymns in praise of the great God, the living soul of

the universe! And we conclude hoping your lordship will not, contrary to your lordship's good temper, and natural and innate civility, despise the address which in a most submissive manner is presented by,

MY LORD,

We have the honor to remain, with the highest sentiments of gratitude and respect, your lordship's dutiful and most obedient and faithful humble servants,

(Signed) Sundry Chingalvaroyen, Headman, and 240, &c in assembly of Tondamandalum Toolooba Oyer Vellala Cast of Ponnary Verpet Naudoo Inhabitants of Madias

To the Headmen in Assembly of the Ponnary Tondamandalum Toolooba Oyer Vellala Cast, at Madras

Accept my best thanks for the very tender and affectionate address, which I have received from you. You express thankfulness for protection in the customs of your cast. It is but justice in me to say that the correct and loyal conduct of the inhabitants of Madras in general, particularly entitles them to be upheld in their rights and their customs, as it shews how sensible they are to the blessings of a free and equal administration of justice.

Your very pleasing expressions of regret at my departure, and of approbation of my public conduct, have made a deep impression upon my mind, and the Vellala cast of Madras for this kind remembrance of me, will always hold a place in my regard

That you may all live long and happy is the sincere wish of,

Your's faithfully,

H. GWILLIM.

Phoenix, Madras Roads,
October 25, 1808

On Monday morning, the 24th instant, Chuah Moolchar, accompanied by many of the most respectable and influential inhabitants of this island, waited on the honorable Sir Henry Goulton, at his residence, when the following address was presented to him, with a very appropriate speech by Chuah Moolchar.

To the honorable Sir Henry Goulton, Knight, &c.

HONOURABLE SIR.—The Natives of this island, in common with the other inhabitants, heard some time ago with much concern, that your presence had been required in Britain, for the purpose of explaining some matters connected with the situation which you have during many years so ably filled in this place, but, as the abilities, zeal, and integrity, with which you had executed the duties of your high office, we well know, hopes were entertained that on a farther consideration of the matter by the government at home, your personal attendance would not have been deemed necessary.

It is with the greatest regret that we now learn, that these hopes have not been realized, and that the fleet about to sail, is to carry from us, (although we trust but for a short time,) a person, whom the Native inhabitants of this settlement have, from the moment of his first arrival amongst them, been accustomed to consider as their father, and their friend, to whom on all occasions of difficulty, and distress, they have resorted for advice and assistance: and whose acts have in every instance, most unequivocally evinced that he has felt a more than common interest in their welfare and happiness.

The able manner in which your judicial proceedings in general have

been conducted, is universally acknowledged,---but the labour, patience, temper, and perseverance, with which you have investigated many intricate causes which have been brought before you, wherein Natives alone were concerned, cannot, perhaps, be better appreciated than by our selves.---We beg to assure you, that they have impressed on our minds the strongest feelings of gratitude and respect for your character, and that we have viewed with admiration your decisions on those occasions, the justice and equity of which, cannot fail to stand down with veneration and esteem, the name of Sir Henry Goulton, to the Native inhabitants of Malacca, from generation to generation.

In taking leave of you, we request permission to return you our warmest acknowledgements for all the favours you have conferred upon us, and to offer our best wishes that you may have a safe and speedy passage to your Native country, and that you may never experience any thing in this life, but a constant increase of honors, and of happiness.

With the greatest respect, we beg leave to subscribe ourselves,

Honorable Sir,

Your most faithful,

Most obedient,

and obliged humble Servants,

Manah Chuah Moolchar.
M. Moodoolisina Moolchar.
C. Singana Chitty.
C. Peddi Sanny Chitty.
C. Chinna Sanny Chitty.
Pumel Soobaro Moolchar.
C. Veeraswamy Ramanay.
Venkata Rangum Pillay.
M. Rungiah Nook.
S. Venkata bellah Chitty.
Venniah Moolchar.
Chinnatombi Moolchar.
Connor Moornah Moolchar.
Shabaubady Moolchar.

T. Som-

T Somasundia Moottiar
 Sir, in Vengat ch Na Moodhar.
 P L Paulappa Moottiar
 A N Nalambay Moottiar,
 and upwards of 400 respectable Nave inhabitants.

To the Natives of Madras

I feel very sensibly the kind disposition you have manifested towards me in your address of this day, and the warmth with which you express your regret at my leaving India. You do me no more than justice in saying that I have had your interest at heart. Your gentle manners and modest deportment very early attached me to you, and made the discharge of my duty a pleasure to me. It was my duty to extend to you the protection of the laws, it was my duty to administer your own laws to you pure and such as I found them in your most revered authorities. If I have done this, I have only the merit of having done my duty, and do not deserve the praises you have so affectionally bestowed upon me. Be assured that though locally separated from you, my heart will be ever with you, and that your happiness will be among its warmest wishes.

I am, with true regard

Your faithful Servant,

(Signed) H G WILLIAMS.

St Thomé, 24th October, 1808

On Monday afternoon, the honorable Sir Henry Gwillim, Knight, one of the Puisne justices of his Majesty's Supreme Court of judicature at this presidency, embarked on board the honorable company's ship *Phoenix* captain Ramsden, for Europe.

Sir Henry was met at the beach by his excellency lieutenant general Hay Macdowall, commander-in-chief, the honorable Sir Benjamin Sullivan, Knight, and a most numerous assemblage of European and Native inhabitants of this settlement---the principal Chiefs of the Mussuman and the heads of Hindoo casts, personally paid their respects to Sir Henry Gwillim, prior to his reaching the boat, and a few of them proceeded with him on board.

A salute of seventeen guns from the garrison of Fort St George announcing his leaving the beach, and a like salute from the honorable company's ship on his arrival on board the *Phoenix*.

On Sunday last a salute of 17 guns was fired from the battery, on the embarkation of his excellency vice-admiral Pellew; a similar number of guns were discharged on his arrival on board H M ship *Culloden*. On Sunday lieutenant-general Macdowall paid a visit to Sir Edward. His excellency was welcomed on board by a salute of 17 guns from the flag ship.

Occurrences for NOVEMBER.

Nov 3.—On Tuesday the 1st instant, James Hawley was tried for the wilful murder of James Mackenzie, a serjeant in the Madras European regiment, and after a minute examination a verdict was

returned of---*Not Guilty*. The following are the votes, as taken down at the trial.

William Hickey, private in the M E regiment was the first witness called,---he deposed that about

about one in the afternoon of the 23d May, deceased came to the prisoner's house, which is close to the main-guard. Deceased was much in liquor. He asked Anne Hawley, the prisoner's wife or woman, (the witness did not know which she was) for some arrack, she said she had got none, the prisoner told Mackenzie that if he did not quit his house he would take his life, and immediately took up a common table knife lying on the window. Deceased upon this stepped back a few paces, and Hawley ran at him with the knife, stabbed him twice in the belly, and then knocked him down and jumped upon him. Prisoner's wife then called out murder, which induced him to say, "if either you or Hickey say a word I'll take both your lives." He then called upon witness and Anne Hawley to assist him in carrying out the body, which, from fear of their lives they did, and placed the body above five or six yards from the door on returning into the house the witness felt very weak, and asked Mrs Hawley for some water, which she gave him, and immediately witness dropt down in a faint.

Cross-examined by Mr Marsh, counsel for the prisoner,---came to Hawley's house at eight in the morning, murder was committed at one. Came there as a friend of the prisoner's, not of his wife's, as they came from the same town; was not then acquainted with Mrs. Hawley, but since the prisoner was taken up for the murder, witness and Anne Hawley have lived together as man and wife. Prisoner was not in the house during the whole period between eight and one o'clock, but went away about nine to answer his name at the barracks, and returned soon after

much in liquor, he remained at prisoner's house because he had asked him, did nothing at all whilst he was there; took no refreshment there. Mrs Hawley poured out a dram, and he took only half of it; when prisoner rushed on the deceased, his wife called out murder. Witness did not call out, being unable from fear of the threats of the prisoner against his life, was therefore afraid to open his mouth; witness and the woman assisted in taking the body away. Prisoner's house is upwards of forty or fifty yards from the barracks; had witness been able to have called out loudly he might have been heard at the barrack-guard, knows not how long he was in a faint, can't say if more or less than an hour, when he came to himself he found he was inside the house; woman did not tell him how long he had been in a faint, he sat down on a cot till six o'clock, when he went to answer his name at roll-call, proceeded afterwards to his barracks, and cleaned his things for parade next morning, never told of the occurrence, until he came before the judge at Masulipatam some days afterwards, did not mean to conceal the murder, did not go of his own accord to the judge but was ordered there by his commanding officer, saw the body next morning when people were all about it; it lay where they had placed it at the corner of prisoner's house.

Ann Hawley, alias Fullen, examined by prisoner's counsel, stated that she never was married to the prisoner, no ceremony of the church was ever read over them.

Thomas Madan, sworn, deposes that the last witness lived with prisoner as his wife, and was supposed to be such. Never saw any certificate

certificate of their marriage Can read

James Dalton, sworn, says that he saw the marriage certificate at Masulipatam in the woman's possession, she gave it him to read which he did, it appeared to be similar to that of his own marriage; saw her tear it before lieutenant Kelly's face, who was the officer of prisoner's company, when she wanted to part from her husband.

The honorable the chief justice did not consider the fact of a certificate as being conclusive evidence of a marriage, as it was a document very easily to be forged, the witness too denying the fact of a marriage with the prisoner on her oath

Anne Fullen was then admitted as an evidence for the crown, was living with the prisoner on 23d May last, about nine o'clock in the morning of that day prisoner went to the barracks to answer his name, and returned about twelve o'clock very drunk, about this time deceased came in and asked for arrack, witness told him she had none, prisoner told him if he would not leave his house he would take his life, prisoner and deceased were both drunk, when threatened deceased went out, and prisoner followed him, having in his hand a table knife which he had taken from the window, and on coming up with, ran against the deceased, cannot say whether prisoner stabbed him or not, as she did not see the deceased till he was down, and the prisoner stamping upon him. Hawley then called upon witness and James Hickey to assist him in carrying away the body, which they did; took him to the corner of the house; when Hickey came back to the house he asked for a glass of

water which witness gave him; prisoner also returned to the house, took his shoes, and then went up to the barracks; the men of the regiment found the body next morning and carried it away

Cross-examined,—states that she went by the prisoner's name whilst she lived with him, but does not go now by the name of Hickey, with whom she now resides. Accounts for this by saying that prisoner was the person who enticed her from her friends, and therefore she went by his name. Hickey came to her house about eight in the morning, prisoner went out about eight or nine, leaving Hickey behind, during prisoner's absence witness was employed in sewing; prisoner returned about twelve o'clock, and about one Mackenzie was killed, there was no person present but self, Hickey, and prisoner, prisoner's house near the main guard, witness did not make much noise, but did call out to Hickey to save Mackenzie; said nothing but this, was not much alarmed, Hickey had no side arms on, assisted when threatened by the prisoner, in conveying away the body, went about eight to the prisoner to the barrack yard, but was not there more than three minutes, saw the guard there, but did not tell what had happened; Hickey then remained at her house till three or four o'clock on that day, and was also there the next morning, she did not play at cards with him the next day, nor does she recollect having done so a few days afterwards; witness was confined in the barrack guard on the day the body was found, so was Hickey that night; she remained in confinement from Tuesday until Sunday evening, did not see Hickey after she was confined until the judge

judge examined her; after the murder, prisoner took his shoes and went away, and did not return home until eleven o'clock at night, lives with Hickey on the same terms as she did with Hawley; used to quarrel sometimes with the prisoner, but in no great degree the reason of her complaining to lieutenant Kelly was because Hawley beat her, and was jealous of her.

James Dalton sworn; informs the court that he went on the 23d of May last, at two P M to the prisoner's house for a dram of arrack, Mrs Hawley and Hickey were much agitated, and she trembled so that she could not give witness the liquor he asked for, witness said give me the bottle, and I'll help myself, which he did, asked her why she was so confused, she replied her husband was confined in the barrack-guard, asked her what for, and she made no answer, witness looked round the house, and saw much dust in various places on the floor, and thought he heard a groan in the house, on asking what that noise was, Mrs Hawley said that sergeant Mackenzie was much intoxicated with liquor, and that she and Hickey had taken him out of the house, and covered him over with a parcel of mats, went to the place, and saw a person lying there so covered, and the left arm being from under the mat the witness knew by the lace that it was sergeant Mackenzie, he wanted to uncover him, but the woman would not let him, catching him hold by the belt in order to prevent him, returned then to his guard; the prisoners in the barrack guard said they heard great cries of murder from Hawley's house; at their request witness returned to the house,

and asked Anne Hawley and Hickey what the cries of murder were for, they replied none had been there, witness again went back to the main-guard, on the day of the murder witness had seen the deceased at about twenty minutes before two going, as he said, to Hawley's house, witness did not go to the house again until the next day, when the corpse was found, it did not appear to have been removed from the spot where he saw it at two P M the day before, it was carried to the hospital. Hawley and Hickey were released from confinement on the Friday after the death of Mackenzie --- About seven days after the murder, witness overheard the following conversation between Anne Hawley and Hickey, near the barrack-guard, Anne Hawley asked Hickey what was the matter with him? He said he could not rest in the barracks nor any where else She asked why? Because, he replied, he was the only man that murdered Mackenzie. She told him not to mind that, they had only to take a couple of false oaths, hang Hawley, and clear themselves He then reminded her that she had bit Mackenzie in the private parts, to keep him from hallooing whilst he murdered him, she answered, never mind that, there is no person knows it but ourselves, by taking a false oath at Madras we can hang Hawley, clear ourselves, and then you and I can live happy together. When witness had heard this, he said aloud, I am very happy I have heard this Anne Hawley upon this went into the house On his cross-examination the witness deposed that Hawley was confined for a breach of duty on 23d about one o'clock, never knew him to be other wise than a good character;

not

not of a revengeful disposition, but rather the contrary.

Cornelius Macguire, sworn,—Was sentry at the main-guard on 23d of May, over some prisoners from ten to twelve at night. Just before he was relieved he challenged a woman who was passing along. Did this twice without receiving any answer, but on the third challenge she said, "Axe the Devil, my grandfather!" The guerry then struck, and witness was relieved, the corporal sent him to see who the woman was, found her near her house, and saw that it was *Mrs Hawley*, asked her what was the matter with her that made her out at this late hour; she replied she was afraid of a spirit and of being murdered by *Hawley*, asked her for a light, she said she had none, witness went and brought one from the main-guard, and then stopped with her until the guerry struck one, during which time she told him *Hickey* had been there from 8 in the morning until sunset, and that *Hawley* was a murderer, and she could not stop any longer with him, witness then left her, having to go the rounds.

Mrs Dalton sworn, on the 24th May, met *Mrs Hawley* running towards the bazar, the day the corpse was found, asked her what was the matter; she said serjeant *Mackenzie* had been murdered in her house; asked who by, said her husband was confined for murdering him—she was obliged to make her escape, or she should have been confined too, as there was a file of men after her, to take her, asked how he was murdered, said he was stabbed three times in his private parts.

William Symes, was corporal of the main-guard, on the 23d May; saw some person lying covered with

mats, went and uncovered the body, and saw it was *Mackenzie's*, with an old shift and petticoat over him; there was some blood on his right groin, and some on his hip, did not unwrap him, to see if there was any hole. In the mean time, *Mrs Hawley*, *William Hickey*, and *James Johnson*, came out of the house, asked her, if she knew any thing of the body, she answered no, she had not seen *Mackenzie*, since the day before, at twelve o'clock, clapped her hands together, and said, so help me God, what could bring the man, meaning the deceased here.

On the 21th May last, was acting serjeant of the main-guard, and was told *Mackenzie* was lying dead, reported it to Captain *Andrews*, and was ordered to remove the body, he had his jacket and hat on, and his gaiters, ordered him to be carried to the hospital, saw blood upon the upper part of his thigh, but did not examine it. *Anne Hawley* said that *Hickey* and she took a leg, and the prisoner the head.

Mr. Macleod, assistant-surgeon, deposed that there was a contusion on the breast towards the right side, and a similar appearance within, and that side of the breast very full of blood; the body was very putrid, but there was a black spot on the right groin, and on removing the integuments there was a corresponding black spot on the intestines, seemingly a punctured wound by a pointed instrument, the body was so very putrid that it could not be minutely examined.

Prisoner made no defence.

F Cavenagh, examined by *Mr. Maish*,—What time on the 23d May was prisoner put into confinement? saw him there before one o'clock, about fifteen minutes;

Mackenzie messed with witness, and afterwards wanted him to help put out the candle. Mackenzie said, I cannot do Hawley is confined, and I am going down to see him this evening.

Corporal Bore,—about three months since, saw him drunk in the barracks, ought to have attended the doctor at that time, reported him to the doctor who desired him to be confined, and he was confined by me about twenty-two minutes since, when I found him in the barracks was not released on the 23d that he knows of, but cannot speak positively.

John Vaxon, Constable,—was with the prisoner when examined before the justices at Madras, saw Mrs Hawley, and heard her say she was not married to the prisoner, and that she would try what she could do to get him hanged.

November 4. William Hickey and Anne Fullen were brought to the bar, and their indictment read, which imputed to them the wilful murder of Serjeant Mackenzie of the Madras European regiment, on the 23d of May last,—they both pleaded not guilty.

James Hawley sworn, interrogated by prisoner's counsel—says he is lawfully married to the female prisoner at the bar. From this declaration his evidence could not be admitted.

Corporal Symes, being called and sworn, deposed, that on the 24th of May last he was corporal of the main-guard at Masulipatam; about half past six in the morning, as he was going to the necessary, he heard James Sullivan say, "I wonder if Serjeant Mackenzie lays now where he did yesterday." He asked where that was Sullivan answered over in this compound, on this he looked over, and saw some-

body covered up with mats, and shifts, and petticoats. He then states that he uncovered the body, and found it to be the body of the deceased Serjeant Mackenzie, says it had blood on the right groin, and some above the hip. At this time, William Hickey and Anne Hawley, alias Hickey, the prisoner, and James Johnson, came out of the house where Mrs Hawley and her reputed husband lived. It was formerly their necessary where the body was laying. The witness asked if they knew any thing of the body, Mrs Hawley clapped her hands together, and cried out, "So help me God, no, she could not think what brought the body there," she said she had not seen the deceased since the day before, about twelve or one o'clock. Witness then returned to the guard-room, and reported the circumstance to the acting serjeant-major, Nuthall; witness says, the body was covered with a petticoat and shift. Being cross-examined, said that Anne Fullen, the prisoner at the bar, went at that time by the name of Hawley. That the deceased during the night before had been reported absent twice. Says he had occasion to hear the report, being orderly corporal. Stated that Hawley was confined on the 23d, at twenty minutes past one, not for the murder of the deceased, but for drunkenness. Stated that any body might have passed without noticing the body, that the petticoat and shift were on the right side of the body.

Serjeant Nuthall called and sworn, says, on the 24th of May last, he was acting serjeant-major of the Madras European regiment, at Masulipatam. A report had been made to him, by corporal Symes, that serjeant Mackenzie

was found lying dead, this he was ordered to report to the commanding officer—Says he found the body between the compound wall of a house, occupied by Hawley, and the prisoner Fullen—The body was lying dead on its face, had a hat on, had shoes and gaiters on—laid on the cot, it smelt very offensively, he observed, he says, that one side of the face was very black, observed some blood below his hip, and on his pantaloons—he removed no part of his dress—but removed the body to the hospital.—The witness stated, that he did not know where Hawley was the day before—On his cross-examination by Mr Gahagan, stated that one of his regiment was found drowned. It was reported to the witness, he says, first, by Anne Fullen the prisoner; stated that he came to Madras to give evidence on Hawley's trial. Witness denied having stated to the coroner, that the circumstance of the man's being drowned, was first reported to him by an European woman, whom he had never before seen.

James Dalton called and sworn, says he knows the prisoners at the bar—and saw them about 8 in the afternoon of the 23d May last—Saw them in a house about 20 paces from the main guard, but does not know to whom the house belongs; it was then occupied by Hawley and the prisoner his wife. He saw them in the house, went there for a dram of arrack, when he went in, says he saw Anne Fullen and Hickey, the prisoners, they were together upon a wooden cot, very much confused indeed, says, he applied to Mrs Hawley, (alias Fullen) for a dram of arrack. she took up the bottle, but dropped it out of her hands twice, took it up a third time, when witness asked

her to let him take it himself; he took one dram, and paid for the same. Witness then asked her what was the matter with her she appeared so much confused, she made no reply, asked a third time, when she said it was because her husband was confined in the barrack-guard. Witness asked her what he was confined for, and she said he was confined for murder, or something to that purpose. Witness asked her who he had murdered, but she made no answer. Witness looked about the house, and saw a great deal of dust thrown up about the floor, and thought he heard some person groaning. Witness asked her who it was? she answered it was Serjeant Mackenzie, (the deceased) who was much intoxicated with liquor; she said that Hickey, (the other prisoner) and her, had carried him and laid him outside—there was a parcel of clothing and mats covered over the deceased. Witness went outside to see him, deceased was lying outside the house, in the corner, about six paces from the door; only a wall parted the necessary from the house. Witness saw the deceased's left-arm jacket-sleeve uncovered, which made him know who it was, he knew it from the lacing of the jacket. Witness was going to look at him, but the prisoner, Fullen, caught him by the belt, and said, "For God's sake don't uncover him." Witness then went away to the guard, not suspecting what had happened, the guard told witness they had heard a great deal of crying out at Hawley's house; the prisoner Fullen denied to witness there having been any crying out of "Murder," there, on the witness's going again to the house; witness again returned to the guard, observed that the prisoners were

† M 2

both

both more confused than before. Witness saw the body of the deceased on the 24th. Prisoner Fullen was confined about ten in the morning; in the afternoon the body was buried. Witness says, there was a court of inquiry by order of the commanding officer. Witness says the prisoners were confined till they were examined before the Judge, Mr Tod. After she turned evidence against her husband she was released. Witness saw prisoners in conversation together, about seven days after they were released, at a new house she had taken beyond the barrack-guard; witness stopped and heard prisoner Fullen ask Hickey (other prisoner) what was the matter with him? he answered he could not rest in the barracks or out of the barracks, she asked him why? He said, I was the man who killed Mackenzie, you know you (Fullen) bit him in the private parts, to prevent his hallooing while I was murdering him. She said never mind, by taking a couple of false oaths we shall hang Hawley (her husband) and clear ourselves. Witness then discovered himself to them, and said to them I am glad I heard what you said. Witness says he saw the deceased go by the main-guard about twenty minutes before two o'clock on the 23d; he was going towards Hawley's, and the next time he saw him was a little after two; the deceased seemed to be intoxicated when going towards Hawley's.

On his cross-examination witness said, the main guard is about twenty paces from Hawley's house. Mrs. Hawley, (alias Fullen the prisoner) used to sell arrack; it was about two o'clock he said when he went for arrack, witness says she told him her husband was confined

for murder, or something to that purpose, witness said he was ordered down to give evidence against Hawley.

James Willock was next called, and sworn, said, he remembers the two prisoners having been confined at Masulipatam for two or three days,—remembers the day they were released, witness heard the prisoner, Fullen, say to Hickey, stick to what you have said, and we shall do.

Cornelius Macguire called and sworn, deposed that on the 23d May last he was sentry of the main-guard—says about a quarter before 12 o'clock, Mrs. Hawley, (alias Fullen the prisoner) passed by, and he challenged her, she made no reply; the third time she told him to ask the devil her grandfather; witness followed her to the house, and found it was Mrs. Hawley, (the prisoner Fullen) sitting with the tail of her petticoat over her head, witness then asked her what brought her out at that time of the night; she said that Hawley had broke out of the guard house, and wanted to take her life; she said she was afraid of spirits being in the house; witness then says, he went to the main-guard, and got a light, and went with her into the house, he then asked her if she had a lantern, she said she had none, he went then and got half a rupee worth of arrack, and they both took some; she said that William Hickey, the prisoner, had been with her from eight o'clock that morning, to sunset in the evening; she said that Hawley was a murderer, and she would stop no longer with him, says he saw Hawley go from his own house towards the barracks.

Being cross-examined, he stated, that Corporal Henry Bosse saw Hawley on the 23d of May, at
nine

nine o'clock in the morning, and again at three minutes past one, that he was then drunk and dirty, that he had been ordered to attend the surgeon, but could not go on those accounts, and that he was afterwards confined by order of the surgeon.

John Vaxon being called and sworn, deposed, that he attended at an examination of witnesses at Madras on the charges preferred against James Hawley, when he heard Mrs Hawley, the prisoner, say, I am not married to (the prisoner) Hawley, he has given you a false report; she afterwards told witness she was only a concubine to that man, (did not mention any name) but added she would get that fellow hanged if she could.

John Madden was then called and sworn, he stated that he was a private in the Madras European regiment, that Hawley was a prisoner in the barrack-guard with witness on the 23d, came there, as near as he can recollect, about 20 minutes past one.

Sir Thomas Strange then summed up the evidence, in a very perspicuous manner, and after a charge of some length to the jury, they returned. On their re-entering they returned a verdict of Guilty against both prisoners.

November 9. Early this morning William Hickey and Anne Hawley, alias Fuller, and likewise James Woodcock, for the murder of serjeant Broom, of his Majesty's 34th regiment, were executed, pursuant to their sentence. We do not understand that either Hickey or Anne Hawley made any confession that they were the murderers of serjeant Mackenzie, but we are informed, from competent authority, that they both admitted that James Hawley, who was first tried

for the murder, was perfectly innocent thereof, he not having been at the house at the time. We have likewise heard that James Woodcock admitted the justice of his sentence, inasmuch as he was accessory to the murder for which he has suffered.

To the Editor of the Government Gazette.

Sir, — The accompanying address was this morning put into my hands, at the place of execution, by the late unfortunate malefactor, James Woodcock, who I regularly attended in my professional capacity, during his confinement in the felons' jail.

He particularly requested that it might be made as public as possible, by publishing the same in the first newspaper, with the sincere wish that it might benefit his fellow soldiers in general, but more particularly the men of his own regiment, who required admonition; and he trusted that his melancholy fate would in future operate as the most awful warning to them.

God grant that it may be productive of the desired effect, and put a stop to that depravity of heart which has been so horribly conspicuous in the numerous instances of wilful murder for which the respective parties have so deservedly suffered at this place at the fatal tree.

I am, Sir,
Your obedient humble servant,

EDWARD VAUGHAN,
ACT SEN CHAPLAIN.

Madras, Nov 9, 1808.

Countrymen and fellow soldiers — You are about to see me suffer the just punishment of my crimes; not that I am immediately guilty of taking away the life for which I am condemned, but for not using, as I ought, my utmost endeavours

to put an immediate stop to such an atrocious act. I therefore hope, fellow soldiers, that the execution you now see going to take place will for ever be sufficient to deter any of you present, and all those that may hear of my unhappy fate, from entering into any combination with, or conniving at, any person that may be depraved enough to take away the life of a fellow creature, for depend on it, though you may for a time escape the stroke of justice, yet there is an heart-searching, and an all-seeing God in Heaven, that will not suffer them to pass unpunished through this world, and I am very sorry to say, that most of the soldiers in this country are terribly given to liquor. Let me, therefore, in the name of God, admonish you to keep from that shocking crime; much better would it be for you to spend that time in reading your bible, and other good books, which I am sorry to say too many give up to drinking and debauchery, which only brings remorse on the guilty heads of those that give themselves up to it, and few, very few come to this dismal place to suffer, but own their love of drink has been the occasion of their unhappy ends, as by inordinate drinking we deprive ourselves of our nature, and become brutes, and are ready to commit any other crime that may, while in that state occur to us.

I am also sorry to say, that among the Europeans stationed in the interior part of this country, and in particular among the men of his Majesty's 34th regiment, a most inhuman opinion prevails, that should they take away a life, they would have the pleasure of leaving their regiment, and coming to Madras, and stand a chance of getting clear from the bar of justice, and by that

means get rid of the service; but let me again beg of you not to suffer such ideas into your head; for though you may deceive your earthly judges, yet you cannot deceive your heavenly judge, whose wisdom has made itself manifest in bringing to light, in this world, almost every person that has been any way concerned in such inhuman acts, a most striking instance of which is manifest in my unhappy case.

May the Great God of his infinite mercy grant that my poor admonition may sink deep into the hearts of my hearers, and may he grant you his holy spirit to help to deter you from doing any act that may disgrace your religion or country, or bring you to the shameful end I am now to suffer.

J WOODCOCK

Address, from the principal inhabitants at Tranquebar, to Thomas Newnham, Esq of the Hon. Company's civil service, on his departure for Serengapatam.

SIR,—You will hereby kindly receive, at the moment you leave us, our warmest and most cordial thanks for the laborious pains taken in order to further the welfare and internal tranquillity of this colony; for the gentleness with which every one of your measures were marked, for that mildness in your administration which forced us to esteem the authority that governed us, and which, for the moment, brought us to forget the unfortunate situation of our respective nations towards one another. Be you thanked for the regard shewn to our laws, for the unremitted assistance you at all times willingly and cheerfully bestowed upon the executive justice, and thereby made it possible for the same to go the straight and even road; undisturbed by

by cabals and chicanery. Be you thanked for the mildness with which you treated the faulty, for the lenity with which you tolerated the weak, for the readiness with which you endeavoured to assist, by your compassion where no other assistance was possible. Never was your ear closed to the complaints of the sufferer, to the petitions of the needful; ever was your hand open, and ever ready to help and relieve, the tears of the sufferers that you wiped off and the silent blessings of the indigent, is your simple but select eulogium, the unaffected sorrow of every citizen, at your retiring, confirms, in the strongest manner, this panegyric.

These few lines contain no flattery, why should we stoop to flattery? it is the candid offering of grateful hearts, that closely have been united to you by manifold benefactions; it is an everlasting offer of gratitude to the man who, for the first time, occasioned us sorrow when he left us. The monument which you have raised among us, will remain everlasting, because regard for you is its basis; gratitude and thankfulness have placed it, and remembrance of all the mild and friendly virtues which make mankind amiable, and the man invested with authority estimable, shall maintain it erect amongst us until the latest times.

We have the honour to be, &c.

[Here follow the signatures.]
Tranquebar, 8th Nov 1808.

Mr. Newnham's Reply.

GENTLEMEN,—Before my departure to my new employ, which now must be immediate, permit me to return you my sincerest thanks for the address with which you have so kindly and voluntarily honoured me. Though under pre-

sent circumstances, I, as a public servant of the British government, am most proud of such a testimonial being conferred on me by the principal Danish inhabitants in this place, I feel that then very favourable intentions have too highly estimated any services which I have, however willingly, been enabled to perform. The conduct, however, which you kindly ascribe to me, is what my government has wished, and in any exertions which may have been successful, I was still only performing my bounden duty in the execution of its orders, and owe my success chiefly to the ready co-operation of the inhabitants themselves. I thank you for the delicate manner in which you have adverted to the situation of the two countries, shall only express hopes that a friendly intercourse and alliance may be speedily re-established between the two governments, and that the mutual friendliness evinced by their subjects in a distant settlement, may promote this desirable event.

I shall now express how happy I am, as a private individual, in enjoying the good opinion of so many respectable Danish gentlemen, and pleased at my good fortune in being deemed worthy, considering the few months since I first became known among you, of this opinion being publicly manifested. I thank you for your general kindness and attentions, and assure you that they shall always be kept in remembrance, and this recollection will be even accompanied with a thankful sense of the conduct which I have experienced, on your parts, during my residence at this place. Wishing you all every success and happiness,

I remain, Gentlemen, &c.

THOMAS NEWNHAM
Tranquebar, Nov 9, 1808.

Nov 27. Yesterday, at sunrise, a royal salute was fired from Chepauk Palace, and returned by the saluting battery of Fort St. George, in honour of the anniver-

sary of the Nabob Azeem ul Dowlah

The governor paid a visit of ceremony to his highness on the occasion.

Occurrences for DECEMBER.

December 17 Within these few days, the monument which was sent out from England by the express order of the vestry of Madras, to perpetuate the exalted worth of the late reverend Archdeacon Leslie, A M many years senior chaplain of Fort St George, has been erected in the most conspicuous part of the church. The sculpture has the greatest merit, not only in the execution but in the design, which is chaste, elegant, and impressive. Piety is exhibited by a female figure, with the Holy Bible in her hand, which she is attentively studying, under which is the following inscription:

"The reverend Archdeacon Leslie, A M departed this life, on the 28th day of June, 1801 aged 58 years. His remains are interred in the burial ground of the parish and this monument is erected by the unanimous vote of the parishioners of Madras, as a token of respect to his memory. He discharged the office of a minister, in Fort St George, for more than 20 years with fidelity and correctness, and during the whole period enjoyed the confidence and esteem of the community at large. His gentleness of manners, his modesty and humility, were exemplary, and his whole deportment such as became the character of a true minister of the gospel."

December 24 The officers of the 4th brigade of cavalry, (fourth and 8th regiments) have presented to Colonel Doveton, Bulgh's Umbahee elephant, captured on the 28th ultimo, as a testimony of the high sense they entertain of his

conduct, and of personal regard for then brigadier

Dec. 28 On the 22d December the commander in chief arrived at Mr. Fraser's garden house, in the cantonments of this station, and was received under the usual salute, and with an honorary guard due to his rank

The following morning his excellency visited the Fort, and was received by the Madras European regiment, and 1st bat. 24th regt. N I under arms, forming a street from the main gate to colonel Taylor's house where he breakfasted, and the officers in the garrison were presented to him, his excellency afterwards inspected the ramparts, and minutely examined the arsenal, barracks, and all other public buildings. Salutes of seventeen guns were fired on his entering and leaving the fort. The same evening his excellency inspected the company of artillery, under the command of captain Gibson, and expressed his approbation of their firing, and general appearance

On the morning of the 24th, the general reviewed the Madras European regiment, which, after passing in review, performed a variety of manœuvres, and at the conclusion his excellency was pleased to address colonel Taylor, at the head of his regiment, nearly as follows.

"Colonel Taylor,—In perform-

ing a necessary part of my duty by reviewing the different corps on this establishment, it was my particular wish to see those in the Northern Circars, and particularly the Madras European regiment, from many circumstances this regiment has in a manner been overlooked, indeed I may say neglected, placed in a corner of this extensive country, it has seldom had its practice of duty with the other corps of the army.

"Notwithstanding these circumstances, from my knowledge of your zeal and ability, Colonel Taylor, I was confident I should find this corps in the high state of discipline it has this morning evinced; and it shall be my business, as much as lays in my power, to let the service benefit from this state of discipline, by calling it into more general notice, for I know that this state of inactivity must be painful to the feelings of honourable gentlemen and officers, and painful to the feelings of brave soldiers. Indeed, I am at a loss to know the reason for this neglect; this regiment has always been forward for its courage and loyalty, you are composed of the same materials as the European corps in the service and I am certain that the same brave and generous spirit actuates you.

"Any praise I can bestow on you, Colonel Taylor, individually, would add but little to the character of an officer of your rank and long standing in the army, and to one who has always given such satisfaction to his honourable employers, and to me ever since I had the pleasure of your acquaintance.

"Have the goodness to convey my thanks to the officers, who from the business of this morning appeared to have given you so much support and assistance; assure the regiment at large of my sincere approbation for its appearance this morning, and of my confident hopes that they will do justice to my partiality, if that praise can be called so, which is so justly merited."

His excellency afterwards proceeded to the race stand, where he breakfasted and met the ladies and gentlemen of the settlement.

In the afternoon his excellency reviewed the 1st bat 24th regt. N. I. commanded by Major Hazlewood, and was pleased to commend it in nearly the following terms:

"Major Hazlewood,—During my residence in India, it has fallen to my lot to review most of the Native corps of this army, and I must candidly acknowledge, that from what I have seen this evening, that this battalion is deficient in no one point whatever, it is equal to any, and surpassed by none.

"I was acquainted with this battalion, under a different designation, and the services of it formerly are well known. The only thing I have to regret is, in seeing you without your colours, which is owing to some oversight; but I shall direct my aide de camp to write for them. I have now to take my leave of you, and I request that you will convey to the European and native officers, and the battalion at large, my entire approbation of their performance this evening, and I wish you and them health, happiness, and glory.

BOMBAY

Occurrences for JUNE, 1807.

June 5. The Diamond, captain Webster, of Bombay, from Busorah, brings accounts that a few days previous to her arrival at Muscat, a party of the Joseom Pirates, amounting to the number of twenty two boats, landed, and made a furious attack on a village a little to the southward of Muscat, but they experienced so warm a reception from the inhabitants of the village, that after a long, and for some time a doubtful conflict, they succeeded in driving them back to their boats, it is said with the loss of four hundred killed, and great numbers wounded, during their re-embarkation.

Two of the Sultan of Muscat's ships had sailed in pursuit of them—During the time the Diamond lay at Muscat, two Dingies arrived from Cutch, who had fallen in with three of the pirates, and after a long and smart engagement, they succeeded in sinking one of them, and the other two made off, very much shattered.

Letters from Goa mention the arrival of a Portuguese frigate, in the roads, from Lisbon, last from the Brazils, having the viceroy for Goa on board. the southerly winds blowing hard and a heavy swell rolling into the bay, had prevented the viceroy from landing,—every thing was preparing on shore to receive him with all the honours and distinctions due to his exalted situation

Subsequent advices from Goa, mention that the gale of wind having considerably increased, and the sea running exceedingly high, the Portuguese frigate, with the viceroy on board, had unfortunately

driven upon the bar; the viceroy, and all the officers and crew of the frigate, were in the most imminent danger of their lives, but owing to the exertions alone of his Majesty's officers and men of the 78th and 86th regiments, they were fortunately saved

Extract of a letter from Goa, dated 7th June “The Portuguese frigate is entirely lost, and, in addition to this misfortune, they have to lament the loss of the register ship, Ceylon, this dreadful disaster happened last month, about fifteen miles on this side of Mangalore; the late chancellor, and several of the crew, are said to have perished. The cargo of the Ceylon was valued at 600,000 rupees. Two Portuguese brigs met a similar fate, and one brig drove into a river at Salsette, dismasted. It is reported that a frigate was seen off the coast with the loss of her masts, supposed to be the St. Fiorenzo.”

Extract of a letter from Goa, dated 9th June. “On his Majesty's birth-day an entertainment was given by captain Schuyler, to the new viceroy of the Portuguese possessions in India, at which were present his excellency the late governor-general, the several Portuguese and British officers

“The viceroy arrived at Cabo, about five o'clock, under a salute of 21 guns, and was received by a British brigade at Goa, which had been previously formed into a street, for him to pass through to the residency, with every military honour due to his exalted situation. During the repast the viceroy requesting every one to fill a bumper, rose up and gave the following

toasts,

toasts, ' God save great George our King,' and, afterwards, ' May there never be a separation between the British and Portuguese nations '

June 20. Accounts are daily received of the effects of the late gales, which seem to have prevailed with unusual violence along the whole extent of the coast to the southward of this place. Its extraordinary violence at Mangalore appears from the following extract of a letter from that place, dated 31st May. " We have had such a hurricane here on the 24th, 25th, and part of the 26th, as has not been experienced for 23 years. Every house here, except Messrs Keats, Reads, and Reeve's, is blown down. Many lives are lost. Five bays are stranded within 26 miles of this. I am in the court-house, and keep open table for fourteen at present, and every thing is in the greatest confusion, as you may suppose, we are doing all we can to save a Portuguese ship bound to Lisbon, from Goa. The court-house is just now an hospital and barrack for one battalion of sepoys, a stable for nine horses, a place of arms, and a barrack for fourteen or fifteen Europeans, &c &c "

The Maria, captain Pringle, of this port, has experienced a most providential escape. Having been exposed to the storm for nearly 40 hours, the desperate resolution of running the ship on shore, as the only probable means that offered themselves to save the lives of the crew, was adopted, and as they were wearing the ship for the purpose of putting this resolution into effect, the wind suddenly shifted and abated, and enabled them, at least

with much difficulty, to stand out to sea again.

It appears that the hurricane commenced, (ship being at that time, by her reckoning, in lat. 10 N and long 74 50 east) on the 25th May, with strong gales from S E and S and continued raging with great violence during the whole of that day, and succeeding night. Not a sail could withstand its violence.

June 26. The day immediately after the death of lieutenant-colonel Philpot, the men of the 65th regiment came forward to their officers, and begged that they might be allowed to give each man one day's pay towards erecting a monument over his grave, this offer was most gratefully accepted, and the whole of the officers in their own names, and those of all the regiment, requested Mrs. Philpot to permit them to contribute each a day's pay, for a monument to the memory of their greatly-lamented colonel "

June 30. At a general court martial held at Trincomallee, Saptoe Bittabann, Sampsoodin Javana, and Adjie Ceylon, Native soldiers in H M 1st Ceylon regiment, were found guilty of desertion, and the sentence of death passed on each—but the two former having surrendered themselves to the commanding officer of their regiment, the governor of Ceylon remitted the punishment of death, and directed them to be kept in irons, and at hard labour, until an opportunity should offer for banishing them from the island for ever. The sentence on the latter (Adjie Ceylon) was ordered to be carried into effect.

Occurrences for JULY.

July 25 —On Tuesday last, at an adjourned sessions, the honourable the recorder gave judgment on the point of law, reserved in the case of the *King v Moseley*. This was an indictment framed on the Statute 9, Geo II C 22, commonly called the Black Act, for wilfully and maliciously shooting at captain Martin. After verdict, a motion had been made in arrest of judgment, on the ground that this Statute was not in force in the East Indies

SENTENCE.

“Walter Borlase Moseley,--- you have been indicted for the offence of wilfully and maliciously shooting at captain James Martin. The evidence against you was clear. Your defence was most prudently conducted with a view to the only favourable impression which your case admitted, and the jury shewed their merciful disposition at the moment when they felt themselves bound to convict you of the crime. After conviction you had all the advantage which could arise from every shadow of doubt concerning the law. These doubts are now removed, and it is now my painful duty to pronounce judgment upon you.

The consideration of your crime has left me in doubt, after long deliberation and painful struggle, whether it be lawful for me to abstain from inflicting the punishment of death. If, consistently with my duty to society, I may yield to the merciful recommendation of the jury, I shall think myself justified for doing so partly by your youth and inexperience,

and partly by a confidence in British officers, which I trust will not be deceived. English men, in this country, have, in general, some superiority of rank and education, which are, I hope, sufficient to render the dread of capital punishment not necessary to restrain them from such vulgar and barbarous outrages

I trust that you will one day feel it to be merciful, not only that we have spared your life, but that we have sent you forth from those societies where you must have borne a perpetual brand, and read your condemnation in the eyes of every man who ever heard of your crime, and that you will have reason to be thankful that you are to become a member of that new and singular community which is founded on the very principle of amnesty, and where the absolute oblivion of all past offences is the basis of society. Every where else the penitent can only shew his sincerity after great transgressions, by being too humble to aspire beyond pardon. There alone he may venture to hope for a life of tranquillity and usefulness, and even for the possibility of regaining esteem

This court do order and adjudge that you be transported to New South Wales for and during the term of your natural life, &c.

The court then proceeded to the trial of Mancherjee Cowasjee Parsee and Fajoolabhoy Jassebhoy Borah. They were found guilty of stealing a number of copper pots, from the house of Burjojee Pestonjee. The Parsee was sentenced

tenced to be transported to Pulo Penang for seven years, and the Borah to stand in the Pillory facing his own shop, with labels to his back and breast, denoting his offence, and to be transported to Pulo Penang for seven years.

The court passed sentence on Bhyjee Jossejee, Meyah Caun Dhanjeebhoj who had been on a former day convicted of having in their possession a bag of copper nails, being naval stores belonging to the King, with the broad arrow marked upon them.

In consideration of these parties being strangers in Bombay and ignorant of the penal consequences of having such articles in their possession, the court passed the lenient sentence of one month's imprisonment in the gaol.

July 26 —Anchored in Bombay harbour, his Majesty's ship Sceptre, captain Joseph Bingham, having experienced a most providential escape from foundering at sea; on anchoring, the usual complimentary salute passed between the Sceptre and the garrison.

Narrative of the transactions on board the Sceptre:—

“ On the 3d of May, 1807, his Majesty's ship Sceptre sailed from Bombay harbour, in order to proceed to the Cape of Good Hope station. The Sceptre being a contract-built ship, and rather weak, Captain Bingham had judged it expedient to leave behind the ship's poop carronades, in lieu of which he took on board lighter metal. On the 13th of June the ship unfortunately sprung a leak, making about ten inches water in an hour, and which continued gaining until the 19th. On the 20th, when the ship was lying to under a main-top-sail, with strong gales, and heavy sea, it increased to the alarming

ing degree of six or seven feet an hour, the water rushing in with great violence forward, which kept the pumps continually going day and night to keep her free. At this time the ship was in latitude 30 degrees south, and 40 degrees east longitude from the meridian of Greenwich, and consequently not more than a week's sail from the Cape of Good Hope, notwithstanding which they were, in their then perilous situation, reluctantly compelled to bear up, at the same time finding themselves under the disagreeable necessity of throwing six of the foremost lower deck guns, and four of the aftermost, over board, in order to relieve the ship at the extremes, they were now running for the Portuguese settlement of Mosambique, on the coast of Africa, where they were in hopes of being able to heave down, and repair the ship. On the 22d, the expedient of a feathered sail was tried, one being feathered and let over the bows, which succeeded in relieving the ship to one pump occasionally, about two or three times for a short space in the course of the twenty-four hours. The Sceptre arrived at Mosambique on the 30th of June, but unfortunately it was found impracticable to heave the ship down there, or indeed to give her even a temporary repair. Under these circumstances a vessel was hired to accompany the Sceptre to Bombay, as knowing from what they had experienced at sea, and in moderate weather, by the means of a glazed tube partly immersed in the water, they could see a hole in the starboard bow, low down, and close to the stem, about the size of a hat, eaten by the worms, into which the water rushed, and the keel under the step of the foremast

mast apparently almost in two, as well from the representation of the divers, one of whom had put his arm entirely up through the opening of the keel,---under such a condition the ship was certainly not safe to be trusted by herself at sea

“ On the 18th of July the leak increased to nearly as much as before, the sail which had been put over the bows, having after a few days gone to pieces, but fortunately some of the oakum had worked out. Immediately another fothered sail was got overboard, which almost instantly relieved the ship in the same manner as before, to one haul pump occasionally, and continued in the same state, until this day, Sunday, when it broke out again as bad as at first ”

They received every attention and assistance from the Portuguese government at Mosambique.

Extract of a letter from a Gentle-

man at Bussroah, dated June 1st, 1807

“ Although no official measures have occurred here that could give the smallest indication of hostility between Great Britain and the Turkish government, some private misunderstanding has taken place to the great injury of commercial speculation. The imports from Bengal are in demand, but from mistrust and apprehension the merchants decline to purchase. Some consignments of piece goods have been recently sold at a price, that will do no more than repay original cost and charges. Indigo is high, but requires management in its disposal

“ For want of confidence in the Bashaw of Bagdad, the English ships are ordered to anchor thirty miles below the town; this measure has in its turn, communicated suspicions to the government and people, which, in their consequences, are unfriendly to commercial affairs.

Occurrences for August.

August 8th — Letters from Baroda mention, that they had recently experienced an uncommon and sudden fall of rain, which had overflowed the banks of the nullahs and rivers; that some lives and cattle had been lost on the occasion, and great mischief done to the country.

August 10 — The distribution of a *second dividend* of the prize money to the captors of Cochin in 1795; commenced at the office of Messrs Forbes and Co at Bombay, agents to the trustees, on the 1st instant.

The following ranks have the specific sums they are entitled to,

placed opposite to their respective classes, viz.

	Rs	qr.	R.
Captains, Surgeons,	1,923	0	30½ each
Lieuts Ensigns, Lt			
Fire workers, assistants - Surgeons			
Commissary,	at	531	3 66 each.
Conductors, Subidars,			
Syrangs,	at	203	0 0 each.
Jemidars, First Tindals,	at	152	0 50 each.
Sergeants, Drum-majors, and Tindals,	at	67	1 0 each.
Gunners, Corporals,			
Havildars, Drum and File Major,			
Privates,		23	0 86 each.
Naiqu's, Drummers and Filer's, Sepoys, Lascars, Watermen,	16	2	½ each.

Aug.

Aug 19.—A marble monument to the memory of the late Sir William Syer, has arrived by the last ships from England. It consists of a single rectangular slab of white marble, with a female figure, in *alto relievo*, weeping and kneeling before a pillar, at the top of which is placed an urn, inscribed with the age and day of the death of the party. Beneath, and on a projecting base, appears the following Latin inscription.

IN HOC FANO REQUIESCIT VIR
INTEGERRIMUS
GULIELMUS SYER EQUES
QUI FORUM JURIDICUM REGIA
AUCTORITATE HIC LOCI
INSTITUTUM,
PRIMUS ORDINAVIT,
ET QUATOR FERE ANNOS, LITIBUS
SAPIENTER DIJUDICANDIS,
ET FÆNIS LENITER IRROGANDIS
HONESTAVIT.

Occurrences for SEPTEMBER.

Sept 14th.—On Friday the 11th instant Sir J. Mackintosh gave judgment in this case of the *Minerva*, Frederick Hassey, master.

This was the case of an American ship, taken on the 3d of December, 1806, going from Manila to Batavia. The ship had left Providence in August, 1805, had touched at the Isle of France, from which place she had sailed to Batavia, thence she went to Jegal and Manilla, and on her voyage from this last place back again to Batavia, she was detained. Her cargo consisted chiefly of indigo and dollars. It appeared that she was under the direction of a supercargo on board, as to her employment in trade both in respect of the cargoes and the intermediate ports to which she was to trade, previously to her return to Providence or some other ports in America, where her voyage was to end.

For the captors it was contended, that she was trading between enemy's colonies, and therefore acting in direct violation of the letter and spirit of his Majesty's instructions of June, 1803, which command the commanders of ships

of war and privateers, to seize any neutral vessel, which should be carrying on trade directly between the colonies of the enemy, and the neutral country to which the vessel belongs.

For the claimants it was insisted, that neither Manilla nor Batavia, nor the Isle of France were enemy's colonies of such a nature as to render the trading thereto by a neutral in time of war illegal, inasmuch as the trade to those places was open to foreigners in time of peace.

The court on a former day had directed commissions to be sent to Bengal and Madras, to ascertain whether the ports of Batavia and Manilla were, during the last peace, open to all or any foreigners from the ports of India, Europe, or America; and if open, whether under any and what restrictions; and also to enquire into the state of those ports in these respects before the war which broke out between Great Britain and Spain in 1796.

These commissions being in part returned, and it appearing that the ports were then open to all foreigners during the last peace, without any restrictions except as to opium and

and specie at the port of Batavia. Sir J Mackintosh pronounced judgment of restitution.

The captors, he said, were fully justified in detaining the vessel, because in so doing they were acting in obedience to the letter of the instructions of June, 1803. Batavia and Manilla were colonies of the enemy, and the vessel was certainly taken wholly between the colonies of such enemies. But though the facts in his Majesty's service were found to obey these instructions, he did not conceive himself sitting as a judge of prize, in a court whose decisions were to be regulated by the law of nations, as bound and concluded by them. He believed indeed, that he was the first and only judge, who had ventured to pronounce such a doctrine. In every prize court, in every country, by all writers on the subject, and all administrators of the law, the instructions of the sovereign were regarded as a law to the judge. But he considered the law of nations as paramount to such instructions, and the king as having indeed a right to dispense with such law, but not to extend it. As far therefore as any of his Majesty's instructions were a relaxation of the law of nations in favour of neutrals, he should consider himself bound by them, but if he saw in such instructions any attempt to extend the law, to the prejudice of neutrals, he should not obey them, but regulate his decision, according to the known and recognised law of nations.

In the present case, after great deliberation, and minute enquiry, he felt himself bound to say, that neither Batavia nor Manilla were such colonies as to render any trading thereto by neu-

tral nations, in time of war, illegal. It is not then being called colonies, that will render such a trading unlawful, notwithstanding the letter of the instructions of 1803; something further is necessary, and that is, that the trade to and with these colonies, was prohibited to such neutrals in time of peace.

The chief point in dispute, in this case, which was investigated by means of commissions to Calcutta and Madras, was, whether Manilla and Batavia were colonies of the enemy, in the sense meant by his Majesty's instructions of 1803, whether they enjoyed such a freedom of trade with other countries, in time of peace, as took them out of the situation of settlements, governed on exclusive colonial principles. The result of the enquiry was, that it appeared that Manilla and Batavia were not colonies in the sense of his Majesty's instructions, as it was found that they were not shut against foreigners in time of peace and in consequence the ship was ordered to be restored to the claimants.

It is to be observed, however, that the learned judge, though he ordered restitution to be made, refused the claim of the neutral for costs and damages, as the captors seemed to be fully justified in this case, by the letter of his Majesty's instructions, and from the prevailing uncertainty, whether or not Manilla and Batavia were to be considered as colonies.

The case of the *Mineiva* is one that cannot again speedily occur. The recent instructions of 1807, which direct all ships to be detained that are found trading between any two ports of the enemy, whether colonies or not, put an end to any

any doubts or dispute that might have arisen on the question Every ship found in such situation must be brought in as prize, and Manilla and Batavia are now entitled to no more privilege than any other ports of the enemy

It ought also to have been remarked, that when Sir J Mackintosh, in observing on some reasonings that were held in the pleadings, stated his doubts whether a judge, acting under the law of nations, would be bound to decide according to instructions, issued by any prince contrary to the law of nations, he expressly stated the instructions of 1803, to be of a very different description, and as such the ground of his judgment in the case (*Bomlay Courier*)

Cantonment, Sept 25, 1807

Yesterday evening was given by her highness the Beebee, one of the grandest and most sumptuous entertainments witnessed at this gay and lively station for many months, the occasion of which was to celebrate the marriage of her highness's grand-daughter

About eight o'clock, on the arrival of one of the ladies, in the grand hall, a curtain was thrown open, and her highness the Beebee moved forward, when an animated interchange of civilities, expressive of much cordiality, ensued The Rajah too joined with his revered mother-in-law, in welcoming their guests, and assuring them, by the urbanity of his demeanour, of his heartfelt satisfaction at such an assemblage

To beguile the time, fireworks, terrific and comical, were let off within the square of the palace, which was grandly illuminated

A supper, combining the luxuries of Europe and the Indies, was laid on the table at eleven o'clock. The glass was circulated until a late hour the ensuing morning, when all departed pleased, and well-delighted with the entertainment in general, but chiefly with the condescending and anxious solicitude of the Rajah during the repast.

Occurrences for OCTOBER.

Oct 7—Two men belonging to his Majesty's ship *Sceptre*, captain Bingham, in coming across the esplanade, towards the garrison, unfortunately fell into a well, the parapet to which is unusually low, and were drowned

On Thursday last his Majesty's ship *Sceptre*, of 74 guns, having undergone the necessary repairs, was hauled out of dock. The immediate cause of her late danger was discovered to be a large hole in her bow, and her bottom, in ge-

neral, was found to be in so bad a state, that her having reached this port from so considerable a distance may be considered almost miraculous The *Sceptre* is now very nearly fitted for sea, and a very few days will restore this very valuable ship to the effective naval force of India.

General Orders by Government.

Oct 19—The honourable the governor in council is duly sensible with the commanding officer

of the forces, of the loss which the service has sustained in the death of captain G Warden, of the corps of artillery, whose merits have not failed to attract the favourable notice of his immediate superiors and government

2d. From his first entrance, soon after his arrival in this country, upon the active discharge of his duties against the Coolies, under the late colonel Little, in 1794, to those periods of his subsequent appointments, on the several important occasions on which the Bombay army has been called into the field, ---at the taking of Columbo; at the memorable battle of Sedasheet, on the 4th of March, 1799; at the fall of Seringapatam, and on the reduction of the fortress of Jemendabad in that year. on the expedition to Egypt; and on the siege of Baroda, the zeal, the steady gallantry, and professional acquirements of this late very deserving officer stood, on each of

those eventful occasions, and in particular on the last, highly distinguished.

By order of government,

H. NEWNHAM,

Sec to Govt.

Oct. 28 ---As lieutenant E Davies, in company with an officer from Cabo, were riding out yesterday in sight of, and about a mile and a half from, Goa, they were suddenly met by two large royal tygers, which, after viewing them for some seconds, came bounding towards them with such velocity, that as the hill was very rugged and rocky, they at one time gained so considerably on them as to be within a very few yards; fortunately, however, their horses ultimately gained ground, and brought them safe off. This is one of the few instances known of tygers pursuing their prey for any distance. These followed the gentlemen alluded to for several hundred yards.

Occurrences for NOVEMBER.

Nov 3.--- Extract of a letter from Mr Manesty, British agent at Bagdat ---

"It is really wonderful how safely I have conducted all the commercial concerns under my management, and you will rejoice to learn that the result, in consequence of the revolution, which, at Bagdat, on the 18th ultimo, deprived the Bacha of life, will be, according to all reasonable calculation, administrative of tranquillity and consequent encouragement of trade in this country. The Bacha was murdered by a Georgian favourite, who had connected himself with a

person of the name of Neseef Aga, the head of a party, long inimical to the Bacha's government, and on the day succeeding his death, his assassin and Neseef Aga were slain by the Bacha's nephew, who immediately assumed the government, and must be confirmed in his uncle's high and distinguished office from Constantinople.

"Thus the Bacha and Neseef Aga, the heads of the long-contending parties at Bagdat, have both fallen. Strife, animosity, and struggle for power, have ceased with their existence, and the Bacha's nephew, now Solomon Bacha,

is a young man of superior merit and liberality. I am on the best terms with him and his governor here, Selim Aga, and, since the Bacha's death, have rendered him essential local services."

Nov 4.—Two persons have been carried off by two royal tygers in the course of last week, from a native village nearly opposite to Powie, near the high road leading from Sion to Tannah. One of them, a man, was found in a jungle to which he had been traced by the blood tracks. The party who discovered, found him in the fangs of the tyger, who was in the act of sucking the blood from the neck of the unfortunate wretch. Not feeling themselves strong enough to approach, they retired for a reinforcement, and on their return with a stronger party, the tyger relinquished his prey and made his escape. On examining the body it was found entirely bloodless, the sanguinary animal having extracted it all from the back part of the neck and shoulders. The only other wounds were a contusion on the thigh, and one arm broken. The other sufferer was a boy, whose body was not to be found.

Nothing can more clearly shew the advantages of knowledge, than the deplorable effects so frequently produced by a want of it. The miserable consequences of ignorance, are evinced in an extraordinary degree, by a circumstance with which we have very recently been made acquainted, concerning the tygers who have lately appeared, and committed considerable havoc, on the island of Salsette. It is firmly believed by the native inhabitants, that they are not merely animals, but some malicious demons disguised under the forms of a royal tyger and tygress,

They positively affirm their countenances to be human, and add that they have large gold rings on their noses and ears; similar to those usually worn by the lower cast of Hindoos. This idea, as it is easy to imagine, has so increased the natural dread which the natives have of those animals, that it is feared every attempt on their part to destroy the intruders will be completely put an end to, notwithstanding the encouragement held forth of a handsome reward for their destruction. We are credibly informed that no less than nine persons have already fallen sacrifices to these sanguinary monsters! A curious story is related respecting them. Contrary to the practice of tygers in general, who are known to fix on animals for prey in preference, unless pressed by extreme hunger, one of these appears to have selected the herdsman of a drove of cattle, though he could as easily have carried off a fine young bullock.

Nov 5.—In March last a small party of gentlemen from Bombay, consisting of colonel Macquarrie, Dr Thomas, and Lieut-general Brande, passed over to Bussorah, in order to proceed thence overland to Europe. A letter was received from Bagdat, under date the 15th of May, respecting their progress; and stating, "that they proposed, notwithstanding the existence of hostilities between England and the Porte, to go direct from Bagdat to Baku, on the Caspian, there to embark for Astracan, and so pass through Russia by the North of Europe, and to reach England by the Baltic." On the 16th, they left Bagdat with the caravan, having been joined there by Major O'Neil, of his Majesty's service. The latter gentleman afterwards

m

of the forces, of the singular service has suffered in one of death of captain who have not the corps of artillery in a flat rits have not failed in an undoubted-favourable notice of the one superior and governor leaving tra-

2d. From his account of the dis- soon after his arrival and the try, upon the account of the his duties against the picturesque der the late colonel, about the to those periods, being able to appointments, and the attempts bay army had been in his field, -- at length, about sheen, and then attack- at, before he was, he was his horse and then lie- to the skin, and amongst them, then own rags the cold, after and repeated they finally

in condition he walk- nearly the next again attacked by One of them mounted and better brothers, after striking him, seized him, and in the cleverest man- his house, where for two days he obliged him by blows to work at the hardest labour. Mc Ling him pull grass for his cattle, dig gravel, and carry it home from the pit, and then pull up by the roots a weed of remarkably strong fibres, which over-ran the greater part of an adjacent tract of meadow ground.

Notwithstanding this insupport- able degree of labour, the barba-

rian had not the humanity to give him any other food than bread, and some milk diluted with water.

On the third day, however, he was liberated from this dreadful state of slavery by the gallantry of the chief driver of the caravan, who generously volunteered to go in search of him. Even after the major was discovered by this brave and honest fellow, there was some difficulty in effecting his release; and nothing but the determined spirit of the driver, who threat- ened the Russian with the imme- diate vengeance of the whole car- van, could have prevailed. The feelings of major O'Neil may be easily conceived. He had little hopes of ever being discovered, the village being situated in a re- tired part of the mountains. The night preceding his delivery he re- ceived a private hint that it was in contemplation to cut his throat, unless he instantly made his es- cape.

This probably was an indirect method of attempting to get rid of him, as the fellow who kid- napped him might have been alarm- ed by enquiries making after his victim.

The travellers gave the follow- ing account of their subsequent proceedings:--

"We entered Persia on the 22d of May---In consequence of the resident of Bagdat, having pre- viously written to the court of Per- sia, giving notice of our intended journey, orders were issued per- mitting us to pass wheresoever we desired. but a Frenchman, resi- dent at the court, as ambassador from Buonaparté, hearing of our arrival, contrived to insinuate un- favourable suspicions of the motives of our travelling into Persia; and in consequence a khan was direct-

ed

ed to conduct us to court. The Khan accordingly waited upon us, announcing himself as our mementar, and delivered a highly complimentary message, in the Eastern style, from the vizier, stating that his highness could on no account allow a party of English gentlemen to travel through his Majesty's dominions, without having the pleasure of seeing them at court. On the morning succeeding the day on which we were visited by the Khan, Major O'Neil had unluckily parted with the caravan, and could no where be found. This circumstance alarmed the deputation, and raised a suspicion that the major made his escape to avoid being carried to court, and that he had gone off with information of importance to the Russians, now at war with Persia. Three days elapsed before the major was discovered. Having thoughtlessly strolled to a distance from the caravan, he was seized, robbed, stripped, and detained in captivity. The major being fortunately recovered, and restored to our society, served to do away all suspicion, as to the objects of our journey. The Persians were fully convinced as to the truth of our account, that the Turkish war was the sole motive of our travelling to Europe by the circuitous route of Persia.

"It happened luckily, at this time, that the king was on the

road from his capital to the camp, and crossing our intended track, saved us the necessity of a long and tedious journey. I shall say nothing further on political subjects, than that we have reason to believe that the king of Persia, and his confidential advisers, discern the true character of the French propositions, and that they have already given a decided negative to the late overtures of Buonaparte, and have signified to his ambassador, that they cannot take any measure to disturb the good understanding that now subsists between Great Britain and Persia. The king is anxious to put an end to the war with Russia. Colonel Macquarie his letters, both from the king and the vizier, addressed to his Britannic Majesty, and to his ministers, requesting as we understand, the mediation of England, in effecting a peace between the two empires.

"In our journey through Persia we have been occasionally entertained, with princely splendor, by the governors of the cities through which we passed. With the apparent fertility, the finely-diversified scenery of Persia, and its natural beauties, we have been delighted. Very different must be our account of its inhabitants. We embark in a day or two upon the Caspian, to proceed to Astracan, thence we go to Peter-burg, and still hope to reach England in September."

Occurrences for DECEMBER.

Dec 13. A report had been received at Madras from Fort Maillborough, said to have been communicated by a Chinaman, of

five sail of men of war having arrived in Batavia roads, in consequence of this information his excellency Admiral Sir Edward Pellew,

few had dispatched his Majesty's ship *Fox*, the honourable captain Cochrane, to reconnoitre, and ascertain the fact, the *Fox* has since returned to Pulo Penang, having sent in two small Dutch prizes, and detained one American brig.

Whilst the *Fox* was cruising off the coast of Java, near Samatang, she chased a Dutch *Guada Costa*, but it failing calm the *Fox's* boats were manned and armed, and sent under the command of the first lieutenant, George Simpson, to board her, as they approached the vessel, one of the Dutch officers took aim at lieutenant Simpson with a rifle-barrelled gun, and unfortunately wounded him mortally in the head. After he fell he only lived, to desire the crew not to mind his loss, but boldly push on and do their duty.

The boats pushed on, but finding the Dutch vessel full of Europeans, they were from so superior force obliged to surrender. A breeze springing up afterwards, the *Fox* again renewed the chase, but the Dutch commander ran his vessel ashore, and abandoned her with his crew and prisoners. She was taken possession of by the *Fox*, but afterwards given for a return of his boat's people.

Dec. 14 The new docks are in such a state of forwardness as to admit of the keel of the new seventy four being laid. New year's day is fixed on as the day for performing the ceremony of diving in the silver nail. At the end of eighteen months we may expect to see her afloat in the harbour.

Bombay will thus have the singular credit of being the first place within the British dominions, out of the kingdom of Great Britain, at which a British seventy four was ever built.

To Lieutenant Colonel Bethune, commanding officer of the Grenadier battalion, Bombay

Dear Sir,—At the close of your eventful career in India, the officers of the grenadier battalion would feel themselves wanting in respect and esteem, did they allow of your return to your native country, after a long and faithful service, reflecting equal credit upon yourself, with the corps you have for many years commanded, without communicating the force of those sentiments towards you, as an officer and a friend.

Your services and merits having been publicly appreciated by high and venerated authority, it is sufficient for us to have to convey to you, the respect which we bear them, and the pride we shall always retain in having acted under your command, for so long a period, in the arduous and extensive duties of the field.

Intimately acquainted, as you are, with the character of those who address you, it would be superfluous to animadvert on the motives which urge us to beg your acceptance of a sword, of the value of fifty guineas, as a pledge for the kind offices of regard you have rendered us, from which it is impossible to separate the benefit we have received.

We have made it our request to Captain Heard, who we understand will sail in company with the fleet by which you design to proceed to Europe, to commission the sword on his arrival in England, with an appropriate inscription, bearing testimony of the estimation in which we held you, and, when finished, to present it to you. We fondly anticipate his cheerful readiness for the fulfilment of our wishes.

W^d

We now wish you a safe and speedy voyage, sincerely congratulating you on the satisfaction you must experience, in returning to those scenes which endeared us to our country, and, ever taking a lively interest in your welfare and happiness, we remain, with unfeigned friendship,

Dear Sir,
Your most faithful and obedient servants.

G Mackonochie, captain, W D Cleland, captain, B Dutton, lieutenant and adjutant, H Montresor, lieutenant, J Brown, lieutenant, William Perkins, lieutenant, William Percy, lieutenant, Thomas Daubeny, lieutenant, Robert Macfarlane, lieutenant, John S Bamford, lieutenant; Thomas Gregg, lieutenant, Robert Shepherd, lieutenant, Thomas Hake, lieutenant; Joseph Jones, ensign, Emanuel Herbert, ensign, Philip Mackeson, ensign; James Grant ensign, and Alexander Gordon, assistant surgeon

Camp, Seroor, Dec. 30, 1807

To which the following answer was returned.

To the officers of the Grenadier Battalion, Camp, Seroor.

My Dear Gentlemen,—I was yesterday honoured with your letter of the 30th ultimo.

I receive the splendid token of your regard and esteem, mentioned in it, as I ought, with a satisfaction which gratifies every feeling of my heart—too happy if I could refer this valuable testimony, less to the partiality of your kindness, and more to my own deserts

With every wish for the continued unanimity, prosperity, and honour, of the corps, in which we have together so long served, I remain, with most cordial sentiments of friendship,

Your faithful and obedient servant.

ANDREW BETHUNE,
Lieut.-Col. Genl. Bat.
Bombay, Jan. 4, 1808.

To Captain Heard, Major of Brigade, Bombay

Dear Sir,—Understanding that it is your intention to proceed by the ships which sail in a few weeks, the officers of the Grenadier battalion are anxious to avail themselves of the opportunity to request your assistance in forwarding their wishes to procure a sword of the value of fifty guineas, to be presented to lieutenant-colonel Bethune, as soon as possible after his arrival in England

On the sword we should wish the following inscription to be made

“ This sword is a tribute of esteem from the officers of the grenadier battalion, to lieutenant-colonel Bethune, then late commanding officer, dated January 1st, 1808 ”

Apologizing for the trouble we are giving you, but in which we anticipate you will find much pleasure from your long intimacy with Colonel Bethune, allow us to conclude with wishing you a prosperous voyage to England, and we remain,

Dear Sir,

Yours, very faithfully,

G Mackonochie, captain; W D Cleland, captain, B Dutton, lieutenant and adjutant, H Montresor, lieutenant, J Brown, lieutenant, William Perkins, lieutenant, William Percy, lieutenant, Thomas Daubeny, lieutenant, Robert Macfarlane, lieutenant, John S Bamford, lieutenant, Thomas Gregg, lieutenant, Robert Shepherd, lieutenant, Thomas Hake, lieutenant; Joseph Jones, ensign, Philip Mackeson, ensign, James Grant, ensign, and Alexander Gordon, assistant surgeon,
To the Officers of the Grenadier Battalion, Camp, Seroor.

Dear Gentlemen,—I am favoured with your letter, requesting me to present to lieutenant-col. Bethune, commanding

commanding officer of the grenadier battalion, on his arrival in England, a sword of the value of fifty guineas.

You have conferred upon me, gentlemen, a most pleasing office, in being the medium of thus expressing your regard and respect, for a valuable and worthy officer, who has devoted his best years, the morning of his life, to the service of his country, and who, for many successive campaigns, particularly during the important and active

operations in Guzerat, has had the peculiar good fortune to command a corps of distinguished reputation

In thanking you for your kind wishes respecting myself, I beg to assure you there is no man who feels more cordial esteem for the public and private virtues of the officers of the grenadier battalion than, dear gentlemen,

Your very faithful, humble servant,

J BICKFORD HEARD, M.B.

Bombay, Jan 4, 1808

Occurrences for JANUARY, 1808.

Jan 1. The ceremony of driving the silver nail into the keel of the Minden, man of war, was performed under the usual ceremonies by the hon. the governor, in honour of whom the new dock, in which the keel is laid, has received the appellation of "Duncan's Dock."

Jan 9 The court proceeded, at the adjourned quarter sessions, to the trial of three natives for cheating by the means of false dice

In opening the case for the crown, the advocate-general observed, that though an indictment for the offence in question had never before been brought forward in this place, the vice to which it referred was extremely prevalent, he believed, among the lower ranks of natives. The statutes which had been passed for its prevention were various; and, whatever might be said of those which prohibited any one from losing more than 10l at a sitting, however fair the means employed for that purpose, there could be no doubt of the propriety of preventing men from having recourse to

dishonest practices at play, and from using arts to obtain success which had the effect of converting chance into certainty. This in fact was another species of robbery; and not to visit it severely would be delivering over the thoughtless and unwary, in their most unguarded moments, a prey to cheats and swindlers. That the prisoners would not be defamed if these appellations were applied to them. Mr Thiepland had no doubt. They had long been confederated together, and while Huijewan staid at home and took care of the bank, the other prisoners acted the part of decoy ducks, and went about enticing their acquaintances to try their luck. Of all the pigeons plucked by these worthy associates, a person of the name of Wasson Cuisondas was the most complete. Often as he played with them, he never, by any accident, was permitted to win. The prisoners were always ready to give him his revenge, but their readiness always ended in his having more revenge to seek.

For some time, as commonly happens,

happens, the Devil got the credit of this wonderful run, to which indeed, though not as an immediate agent, he was well entitled, but at length, when the unhappy Wasson had nearly lost his all, and was driven to that last extremity of desperate gambling, the taking his wife's rings and necklaces on the event of a throw, he thought it might be as well, without offence to the power below, to ascertain of what materials the dice were composed, and snatching up one of those which were upon the table, conveyed it unperceived into his mouth.

As might be expected, the alarm which this act occasioned was very great, and in the confusion which ensued, one of the prisoners took an opportunity of throwing the other dice they had been playing with out at the window. The one, however, which Wasson had swallowed, was still forthcoming, and when the jury examined it, they would at once perceive that a little lead had been inserted under number six, which must have effectually excluded the operation of chance playing with the prisoners, and was no doubt the cause of the uniform success of their addresses to Fortune. The bias, as might also be supposed, was given to the die with a neatness which would not have disgraced the temples in which the goddess is worshipped in Pall Mall, or St James's street. If these facts were proved, the jury would find the prisoners guilty, and they would be subject to the same corporal pains as in cases of wilful perjury, and to forfeit five times the amount of their unlawful gains.

The facts were detailed by the witnesses, who were all of them sufficients, with a simplicity which

produced much entertainment in court. The defence of the prisoners was, that the season was a kind of Mahomedan Saturnalia, that their religion permitted them to play, and that they had played fair. But not being able to produce any evidence of this, the jury found them guilty, and the court passed sentence of pillory and imprisonment on them.

Jan 10 Several occasions have occurred, in which the students, from the Bombay establishment, at the college of Fort William, have distinguished themselves in a very eminent degree, by the honours they acquired for their proficiency and attainments in the languages of the east. But no instance so remarkable has hitherto occurred, as one, which, to the honour of Bombay, the list for the third quarterly examination for the year 1807 presents Mr Sotheby, a writer on this establishment, who came out to this country in May last, was admitted into the college in September, and on the 3d of November following, he stood at the head of the second class in the Hindoostanee language.

Jan 27 A curious ceremony took place last Christmas day, in the synagogue of the white Jews, near Cochin.

All things being prepared in the synagogue, and the rabbis, elders, with the whole of the people, male and female, being assembled and arranged, each in their allotted places, the dewan of the rajah of Travancore, attended by the British resident, approached in procession, and entered the synagogue at sunset, of the 25th December. They were received by the elders, at the gate of the congregation, standing up, and were led to seats, which had been prepared for them, in front

front of the ark, and under the extended wings of the cherubin Being seated, the service of the evening commenced ---The chief-priest standing before the altar of the Lord, in the presence of the congregation, spread forth his hands towards Heaven, and with prayer and supplication, the whole standing, implored a blessing upon his Majesty the king of Great Britain and Ireland,---all the people saying Amen. The words of the favorite air of "God save the King," having been previously translated into the Hebrew language, were chaunted, the whole congregation joining in the chorus

Following this a benediction was implored for his highness the Ram Rajah of Travancore, and a compliment, suited to the solemn occasion, was addressed, by the chief-priest, to the resident and the dewan.

The service being concluded, the dewan of Travancore, in a few words, neatly delivered, expressed for his master and himself, the high sense which was entertained of the honour and favour conferred on them, and, turning round to the elders, requested that the rajah of Travancore might be permitted to make an offering of a crown of gold, to be placed within the ark of the Tabernacle upon the sacred books of the law; and requested further that he himself might be permitted to make an offering of a rich chanduchet to illuminate the sanctuary These requests having been gratefully acceded to, and suitably acknowledged, the resident and the dewan retired in the same manner, and with the like ceremony, as had been observed on their entrance.

Occurrences for FEBRUARY.

General Orders.

Bombay Castle.

Feb 4 — The honourable the governor in council is pleased to permit Lieut-colonel H. Woodington to proceed to Europe on furlough, with the option of eventually retiring from the service, conformably to the existing regulations.

The governor in council will have great satisfaction in communicating to the honourable the court of directors the high sense entertained by government, of the professional deserts of Lieut-colonel Woodington, as manifested during the long course of his meritorious service in India.

The earlier instances thus referred to have already attracted the notice of the honourable the court

of directors, who were pleased, in the 46th paragraph of their general letter, dated the 8th of April, 1789, to direct that some staff situation should be conferred on that officer, in consideration of the severe wound he had sustained in their employ

Since his last return to India, Lieut-col Woodington has further established his claims to the approbation of his employers, by a series of distinguished and important services, equally promotive of the welfare of his country, and conducive to the increase of his own military reputation

The siege of Baroda, in 1803, afforded the most satisfactory proof of the judgment, exertion, and professional talents of the Lieutenant-colonel, which, on the same year,

year, were again highly distinguished in the reduction of the valuable fortress of Broach, an event that, viewed in reference to the smallness of the detachment employed upon the occasion, sufficiently bespoke the abilities that directed, and the gallantry that achieved the conquest, whilst the subsequent and rapid reduction of the strong hill fort of Powangarn, and of Champneer, closed this officer's active career in the last war on this side of India.

The record of these memorable occurrences stands severally marked, by the most respectable testimonies of approbation, bestowed on the conduct of Lieut-colonel Woodington by the distinguished authorities, who, at the periods in question, exercised a controul over the operations of the field army of this Presidency, the present government of which coincide entirely in the opinions, expressed by major-general Jones Bellasis, that the Bombay establishment will sustain a loss in the departure and eventual retirement of this excellent officer, whose exemplary and conciliatory conduct, in the command of the subsidiary force in Guzerat, during periods when such attentions were absolutely necessary, forms another very laudable part of the colonel's conduct, such as the governor in council will not omit to make due and creditable report of to the honourable the court of directors, inclusive of the several other occurrences above adverted to.

Feb 10 —“ After my narrow escape from the ship privateer on the 8th, I had little expectation of so soon having occasion to give you an account of my falling in with another vessel of the enemy, the particulars of which I beg to relate:

“ In latitude 16 40 North, having anchored in a calm, I weighed on a breeze springing up; and at half past three P M stood with a light air from N E to W. leaving written instructions with the officer of the watch. At four A M I was called up, and found a man of war bug close aboard of us, who hailed, and desired the boat to be hoisted out. I answered, that it should be done immediately. No sooner had I replied, and while we were in the act of clearing the boat, than he fired into us, immediately under our stern, with round, grape, and musquetry, which killed one man, and wounded three, two of them mortally, one of whom has expired while I am writing this account, and the other cannot possibly survive, the third we hope may recover. They have thus taken the lives of three innocent men without the slightest provocation, having fired without notice, and without asking whether I had struck.

“ I was carried on board the privateer. After finding that the Palmers was leaky, they stripped her of every article that was moveable, of every sail except the fore-sail, fore-top-gallant-sail, and jib; blocks, buckets, &c &c. and whatever could be readily transferred, was carried on board the privateer, and then cutting my rigging, and otherwise disabling the ship, they made her over to me, and although I was under a fore-sail braild up, with the ship's head to the north-east, the bug tacked and ordered me to put about to the southward. While I was executing this order, the bug passed me, and the night setting in, I availed myself of the darkness, boarded the fore-tack, and stood for this port, but having worn ship twice under a braild fore-

fore-top-sail, which, when set, carried me to leeward, and before I could procure a substitute for a lead, the privateer having carried off all I had, we found the ship had run a-ground, about ten, P. M. six or seven miles distant from any inhabited part of the coast, were we still remain. Upon grounding, I lowered my yards, steering booms, &c and made a cattamaran, to send a note to the master attendant for assistance, of which I stood much in need, as the Frenchman carried off sixteen of my best hands.

"The privateer is named the Bon Venture, David, commander. She has been in sight all this day working to the southward of the port, and has two vessels in company, which she captured last night. At the time I was taken she had captured two small vessels off Coimbatore, both of which she discharged. The privateer is a small vessel, badly manned, Pegue built, pierced for 14 guns, but has only seven mounted.

General Orders

Feb 16—"It is with sincere concern that government announces to the army the death of that very respectable officer major-general Bellais, late commanding officer of the forces, who departed this life, on Thursday the 11th instant, by a very unexpected attack of sudden illness, as he was in the meritorious discharge of his duty at the military board, thereby terminating a long career of zealous and faithful services."

By the Commanding Officer of the Forces

"The commanding officer of the forces requests the officers of the army will wear crape, as a mark of due respect to the memory of our late commanding of-

ficer of the forces, major-general J Bellais, who departed this life in the zealous discharge of his duty, after an honourable career of faithful service of upwards of thirty-eight years.

"The period of mourning to be one month."

Capture of the Margaret brig from Calcutta, by a French privateer to the southward of Bancoote, on the 8th of February, 1808. The particulars of this capture will appear from the following extract from the log-book.

Extract from the Brig Magaret's Log-book, from Calcutta, bound to Bussorah

Monday, February 8, 1808. At one p. m. the small vessel that was seen in the forenoon to windward standing to the S. E. wore and stood down towards us upon our weather quarter. Having a suspicious appearance, we fired a shot at her, either to tack or close no nearer, when she shewed English colours, and continued nearing us. We fired a second shot, upon which she hoisted a French ensign and pendant, and fired a shot at us, when we immediately opened our fire of round and grape, and continued a running action for upwards of three hours, finding she neared us, bore up before the wind to get our stern-chasers to bear upon her, from her well directed fire she hulled us twice, and put a number of shot through our sails, &c. In the evening the breeze freshening, we kept the wind on our quarter, with all sails drawing, endeavouring to make our escape in the night, altering our course as the wind shifted, however, it being clear moonlight, he observed all our motions, and at day-light she bore N. W. distance about one and

and a half. At 10.20 a m falling light airs, she swept up close to us, when we observed her decks full of Europeans, and finding it impossible to make further resistance for the safety of the ship and cargo, was under the necessity of hauling down our colours to the French Imperial Felluca L'Entieptenante, Monsieur L. Bouvet, commander, from the Isle of France.

N B. When we first saw the enemy, Bombay, bore N N E about 65 miles, distance from the nearest shore 12 or 14 leagues.

(Signed) H. Wilson,
Commander

On taking possession of the Margaret, the Frenchmen instantly changed vessels, and proceeded to the Isle of France on board of the Margaret, giving up the Felluca to captain Wilson.

In addition to the above particulars, we learn, that the privateer

had previously taken a vessel from Cutch, the crew of which had been secured on board the fellucca, by being placed in irons below. But this circumstance not having been made known to captain Wilson, when he and the Margaret's crew were put on board, no provision was made by him against an attack which the Cutch people made upon him and his crew, and in which they succeeded. Before they had been on board long, the Cutch people rushed up the fore hatchway, armed with pikes and creeses, and overpowered captain Wilson and the crew, and diving them to the fore-castle, kept them there for six days on the allowance of about a pint of water, and a small portion of biscuit, for the twenty-four hours.

Captain Wilson and the rest afterwards got on shore at Danou.

Occurrences for MARCH.

March 4 — In consequence of the advancement of major-general Jones to the command of the army under this Presidency, the honourable the governor in council is pleased to appoint major-general K' Macpherson to the vacancy thereby occasioned in the general staff.

The seminary at Veisovah is abolished by an order of council, on account of the great reduction in the number of students.

March 6 — Major L. F. Smith, late of the Mahratta service, accompanies Sir Harford Jones on his embassy to Persia, as secretary.

March 18. — On Monday last, a beautiful new ship was launched

from the slip at Mazagon, of the burthen of about 800 tons, intended for the commercial service of the honourable East India Company.

At the turn of high water, she majestically descended from the ways, under a royal salute, and proudly floated on her natural element under the auspicious designation of the Thomas Grenville.

The ship is, we understand, to be commanded by captain Levi Philipps, of the honourable company's Bombay marine.

March 24 — Arrived the ship Windham, lately launched at Devon. She is frigate built, and upwards of 840 tons burthen. In her passage from Dewann, which was a beating one, she fully
satisfied.

satisfied the expectations of the builder, in her rate of going, and in bearing a press of sail at a light draught of water

March 31.—On this day, the following letter was addressed to the honourable the governor in council at Bombay, announcing the capture of La Piedmontese frigate, by the St Fiorenzo

SIR,—I have the honour to inform you, that I have this instant received a dispatch from lieutenant Dawson, of his Majesty's ship St Fiorenzo, acquainting me with the capture of the French frigate, La Piedmontese, after an action of three days at different intervals

It is with the utmost regret I have to inform you of the death of the gallant captain Hardinge, on the 6d day, viz. the 8th of March

The St. Fiorenzo had 13 killed, and 25 wounded The Piedmontese had 48 killed, and 112 wounded

The St. Fiorenzo saw the Indiaman on the day before the action.

I have the honour to be,

Sir,

Your most obedient,
humble Servant,

CHARLES FOOTE

Bombay, March 31, 1808.

In just attention to the memory of captain Hardinge, the flags in the fort, as well as on board his Majesty's, and the honourable company's ships, and the merchantmen in the harbour, were ordered to be hoisted half-mast high, and minute guns, to the number of twenty-nine, corresponding with the age of the deceased, were fired from the ramparts of the garrison.

Extract of a letter from on board

the Charlton Indiaman, dated 13th March, 1809

"The Piedmontese had taken several vessels that had left Bombay, and from the different accounts found that our three ships were to sail without convoy, consequently he took up his station off Cape Comorin, stretching off and on, and was waiting there manned with three companies of artillery-men on purpose for fighting the great guns, 150 Europeans trained for boarding, and the same number of Lascars to attend the braces, &c &c. making in all above 500 men, with 40 officers. On Sunday off Cape Comorin we discovered four sail which we have since learnt were the Piedmontese in chase of us, the St. Fiorenzo going up the Bay, the William from Bengal, and a brig which the Piedmontese had captured, valued at four lacks of rupees, but dispatched for the Isle of France immediately she saw us. The Piedmontese was then on point of making sail after us, when Mr. Hughes and captain de la Haïpe, who had been captured in a little brig, told them that they had better try the single ship first, (wishing to give us time to get out of reach) as we had got men on board at Bombay on purpose to defend the ships, and that he would be roughly handled, which advice he took, and gave chase to the St. Fiorenzo, when to her astonishment she found out her mistake when too late

"Manned and equipped in the manner she was, you will easily picture to yourself what the action must have been when both ships had not even a rope but what was cut through, and on the side they engaged the shot holes were innumerable, and sorry I am to inform you,

you, that just in the arms of victory, poor captain Hardinge was shot through the neck by a grape shot, while in the act of giving orders to the first lieutenant to tack the mizen top-sail, and expired immediately.

Moreau, finding on the last day that they could not cope with the bull-dogs, was seen amusing his men in the hottest part of the fire, expecting a shot to terminate his miserable existence, when, finding that not to be the case, and seeing

the people fall by dozens about him, and the colours about to be struck, (one of the French officers told us) that they strongly suspect he discharged both his pistols through his body. Even that had not the desired effect, and he then desired them to throw him overboard, although still alive. They acknowledged to us they had 107 killed and wounded; they also said they did not wish to fight, but were forced, they did every thing in their power to get away.

Occurrences for APRIL.

Further particulars of the capture of the French frigate, La Piedmontese, by his Majesty's frigate the St. Fiorenzo, G. Nicholas Hardinge, Esq. Captain

With a melancholy, but at the same time a proud, feeling, we present to our readers a minute and accurate detail of one of the best-fought actions which ever graced the annals of the British navy.

The loss of captain Hardinge the gallant officer to whose skill, perseverance, and intrepidity, we are indebted for the glorious result of this important contest, (however enviable may be his fate in those dubious times) must impress every generous mind with a sense of sorrow; while the distinguished superiority of British seaman-ship, as well as British valour, so nobly maintained by him, will temper such feelings, and rank him in the estimation of posterity, with those rare and costly characters whose worth is to be ascertained more from the importance, than the duration, of their services, who have just lived long enough to fulfil the promise of their youth, and who are

cut off in the beginning of a career of glory.

The St. Fiorenzo sailed from Point de Galle on Friday the 4th of March, at 11 30 A. M. On the 6th, at seven in the morning, she passed three Indianen, and shortly after saw a frigate bearing N E.

She immediately hauled her wind in chase, and made all sail; being at the same time in lat 7 32 N. long 77 58. E. In the course of the chase the private signal was made by the St. Fiorenzo, but not answered by the enemy, and at five in the evening she shewed her colours, which were also unnoticed.

At forty minutes past eleven at night, the St. Fiorenzo ranged alongside of the enemy on the larboard tack, and received his broadside. After engaging within a cable's length for ten minutes, the enemy made sail a-head out of the range of the St. Fiorenzo's shot, who immediately ceased firing, and made all sail after him, continuing to come up with him till daylight.

By this time the enemy found it was impossible to escape without fighting, and accordingly wore, as did also the *St Fiorenzo*, when twenty-five minutes past six the action recommenced at the distance of half a mile. The fire was constant and well directed on both sides, the gallant Hardinge gradually closing with his enemy, till the distance became something less than a quarter of a mile.

After a contest of an hour and fifty minutes, the fire of the enemy began to slacken; he again made all sail, and endeavoured to escape. The condition of the *St Fiorenzo* at this time prevented the possibility of an immediate chase to renew the action.

Her main-top-sail yard was shot through, as were also the main-royal mast, both main-top-mast stays, main-spring-stay, and most of the standing and running rigging.

In addition to this all her sails were shot to pieces, and most of her cartridges expended, while the enemy had comparatively suffered little in his rigging, owing to the usual circumstance of the British fire being directed against the hull.

Under these considerations, capt. Hardinge ordered the fire of the *St Fiorenzo* to be discontinued, and immediately employed all hands in repairing the damage sustained, and refitting the ship for action.

It necessarily took up a considerable time to repair the great injury the masts, yards, and sails had received. However, capt. Hardinge succeeded in keeping sight of the enemy during the night, and about nine in the morning of the 5th, his ship being perfectly

prepared for action, he bore down upon him under all sail.

The enemy no longer endeavoured to avoid the action, till the *St Fiorenzo* hauling athwart his stern, for the purpose of gaining the weather gage and bringing him to close fight, he hauled up also, and again made all sail.

The superior sailing of the *St Fiorenzo*, however, soon convinced him that a decisive action was inevitable, and perceiving how fast she came up with him he tacked, and at three in the afternoon the ships passed each other on opposite tacks, recommencing the action within a quarter of a cable's length.

The enemy wore when he was abait the beam of the *St Fiorenzo*, and after a close action of an hour and twenty minutes, in which there was a display of gallantry and steadiness that rendered his capture truly honourable, struck his colours, the surviving officers waving their hats as a signal for a boat to be sent to take possession of the prize.

It was in this last conflict that the gallant Hardinge fell, after evincing all the skill of a seaman, and the determination of a hero. He received a grape shot in the neck from the second broadside, and lived only long enough to place his brave companions in the certain road to victory.

To the zeal and courage with which he was supported by his officers and crew in this long and trying series of hardihood and science, the meed of honour is most justly due. And we are well convinced, that those who live to wear the laurels which he led them to win, will be amongst the first to do justice to the merits of their brave commander.

The

The Piedmontese was commanded by Monsieur Epton, capitaine de Vaisseau, she mounts fifty guns—long eighteen pounders on her main deck, and thirty-six pound caronades on her quarter deck. She had 366 Frenchmen on board, and nearly 200 Lascars. She sailed from the Isle of France on the 30th of December, was out 84 days, and had captured six vessels*. In the action she had 48 killed and 112 wounded. The St. Fiorenzo had 13 killed and 25 wounded—most of the latter are in a promising way.

Monsieur Moreau, the second in command of the Piedmontese, fell in the action.

On the death of captain Hardinge, Lieutenant W. Dawson took the command, and nobly followed up the glorious example of his lamented captain.

Extract from the log of his Majesty's ship, St. Fiorenzo

Sunday, March 6. At 1 o'clock, A. M. moderate and cloudy.

At 5, at day, light breezes, saw three sail, N E standing to the S. E.

At 10, saw a strange sail on the starboard beam. In steering-sails, and hauled to the wind on the starboard tack.

At 11, at noon, light breezes, and clear, all sail set in chase, the stranger bearing N N E $\frac{1}{2}$ E tumbled occasionally as the chase altered her course.

At 1.50 observed the stranger hauling in her larboard steering-

sails, and haul her wind on the starboard tack, did the same.

At 3.30 observed the chase haul in her lower steering-sail, and alter her course $\frac{1}{2}$ point.

At 3.35 observed the chase haul in all her steering-sail,—hailed up $\frac{1}{2}$ point.

At 5.20. set maintop-mast stay-sail and starboard steering-sails, mustered at quarters, and cleared for action.

At 5.50 shewed our colours to the chase,—at sun-set, chase E. by N $\frac{1}{2}$ N. three miles distance, all sail set in chase.

At 11.25 the chase shortened sail, and hauled up for us.—Manœuvred as necessary.

At 11.40 received a broadside from the chase, returned ditto, and commenced action.

At 11.55 observed stranger making sail away, and her brisk firing silenced,—left off action,—made all sail in chase. Mustered at quarters,—found three men missing, having been wounded in the action.

Monday, March 7. At 1 o'clock, A. M. light breezes and clear, enemy in sight, all sail set in chase.

At 5, at day-light, all sail set in chase of the enemy, found we had several shot holes in our sails, and the running rigging cut in several places.

At 5.40 the enemy hoisted French colours.

At 6.15 the enemy wore, hauled down the steering sails, and up

* Ship Assistance, captain W. C. Chapman, from Bombay, bound to Madras; ship Futtee Ghur, captain Solman, from Bengal, bound to Bombay; ship Forth, captain W. B. Greenway from Bengal, bound to Bussorah; brig Zephyr, captain James Henderson, from Bombay, bound to Columbo, brig Cadre, from Bengal, bound to Cannore, sloop Rose la Maria, captain W. Berdindick, from Cochin bound to Columbo. The five former have been sent to the Isle of France and the last sunk.

up main-sail—vore and steered down to close with the enemy

At 6 25 the enemy being a quarter of a mile distant, commenced the action by firing her broadside at our mast and rigging, -- closed with the enemy as much as possible, which she endeavoured to avoid, -- kept up a constant heavy fire

At 8 5 the enemy began to slacken her fire by only giving us two or three guns every minute

At 8 15 The enemy discharged the whole of her broadside, and made all sail away kept firing at the enemy till out of gun shot, found all the lower masts wounded, 10 in topsail yard cut in two, and our standing and running rigging so much cut that we could not make sail in chase, -- all hands employed refitting the damages received in action, mustered at quarters, found five seamen and three marines killed, and thirteen seamen and one marine wounded Noon, calm, all hands employed repairing damages

At 1, all hands employed ditting, rigging, and preparing ship to renew the action, -- enemy making off, with all sail, to the eastward -- got the main topsail yard down, and another up, -- shifted fore and main topsails, rose sail being cut to pieces with the shot

At 4, eight ars, enemy E by N. 4 miles, gave tops to the quarter to make cartridges, 25 ars, 40 rounds.

At 7. 20 pumped ship, J F 10. 1.

At 9 calm and haze -- lost sight of the enemy.

At 12, enemy in sight -- East

Tuesday, March 8 At 1, light airs, and hazy, -- at day-light saw the enemy's frigate on the starboard

tack, E. N E four leagues, made all possible sail in chase

At 6 30 left off chase, and hauled to the S S W -- people variously employed, carpenters making studding booms, shifted the main-top gallant sail

At 8 the enemy's frigate S 10 or 12 miles

At 9 30 bore up, and made all sail towards the enemy -- cleared for action

At 12 noon, moderate and clear -- enemy E. by N standing to the S S W.

At 12 40 the enemy hoisted a Dutch jack at the fore-top-gallant mast head

At 1 saw two strange sail bearing south

At 1 10 made a signal for an enemy

At 1 15 fired a gun to leeward, as a signal to the strangers.

At 1 20 repeated ditto

At 1 40 finished the main yard, being much wounded in the last action

At 2 made signal No 05, to strangers, supposing them to be men of war

At 2 10 fired two signal guns to the strangers.

At 2 15 hauled down the signal.

At 2 35 the enemy hauled down her French colours, and hoisted an English ensign

At 2 25 hoisted French again

At 2 55 the enemy shortened sail -- shortened sail as requisite

At 3 brought the enemy to close action

At 3 15 the captain fell, being killed by a grape-shot passing through his neck

At 4 10 the enemy made sail away -- made all possible sail, and kept up a constant heavy fire on him.

(At

At 4 20 the enemy struck his colours, sent the jolly-boat on board, with the second lieutenant, to take charge of the prize, she proved to be the French frigate La Piedmontese, mounting 50 guns, 26 and 18, with 566 men, commanded by Mons Epton.

At 4 40 the captain came on board and presented his sword to lieutenant Dawson, commanding officer, employed taking the prisoners out of the prize, splicing, knotting, and refitting the rigging, muscled at quarters, and found, besides the captain, 2 seamen and one marine killed, one lieutenant, five seamen, and three marines, wounded—all the lower masts dangerously wounded, stays, backstays, yards, with most of the running rigging, boats, &c cut to pieces.

Wednesday, March 9 — At 1. calm and hazy, received — prisoners on board.

At 6 observed the prize's mizen mast fall over the stern.

At 7. the main-mast fell, and at 30 minutes past seven the fore-mast, which carried away the bowsprit in falling—people employed knotting and splicing, and fitting running rigging.

At 8. 40 a light breeze from the N. E. took the prize in tow and made all possible sail on the larboard tack.

At 1 light airs and hazy, employed knotting, splicing, and fitting new shrouds and back-stays, bent the new main-sail, the old being shot to pieces.

At 3. light airs,—cast off the prize.

At 4. ditto weather, prize in company under july-masts.

At 6 committed the body of Captain George Nicholas Har-

dinge, Esq to the deep with the honours of war.

At 8 wore and stood towards the prize.

At 9. 30 departed this life, Wm Baldwin, seaman, of wounds, wore ship to take the prize in tow.

At 10 30 tacked, 10 55 committed the body of the deceased to the deep.

At 12 light airs; prize in company.

Thursday, March 10.—At 1. light airs and hazy.

At 3 wore and stood to the westward, to close with the prize.

At 4 light airs, inclining to calm.

At 5 at daylight prize in company.

At 7 wore and stood to the eastward, prize in company.

At 8 light airs, prize in company.

At 10 30 took the prize in tow, light breezes, made all sail.

At 12. noon, light airs and clear.

At 1. light airs, prize in tow; employed knotting and splicing and repairing damages.

At 3 light airs inclining to calm, cast off the prize.

At 6 a squall from the westward shortened sail as requisite.

6 15 light airs and cloudy.

At 6 calm, prize in sight.

At 12. ditto weather, prize in sight.

Saturday, March 12 — P. M. Quarter before 2 came to an anchor in Columbo road.

List of killed and wounded

Wounded on the sixth — William Pitt, seaman, John Tracy, ditto, William Miller, do. surgon.

Killed on the seventh. — Thomas Marten, captain of main-top, Charles Shallwood, seaman; Robert Carrel, ditto, John Middickton, ditto, William Mead, boy, William Mann, marine.
† O 2 John

At 4 20 the enemy struck his colours, sent the jolly-boat on board, with the second lieutenant, to take charge of the prize, she proved to be the French frigate *La Piemontese*, mounting 50 guns, 26 and 18, with 566 men, commanded by Mons Epton.

At 4. 40 the captain came on board and presented his sword to lieutenant Dawson, commanding officer, employed taking the prisoners out of the prize, splicing, knotting, and refitting the rigging, muzzled at quarters, and found, besides the captain, 2 seamen and one marine killed, one lieutenant, five seamen, and three marines, wounded—all the lower masts dangerously wounded, stays, backstays, -yards, with most of the running rigging, boats, &c cut to pieces.

Wednesday, March 9 — At 1 calm and hazy, received — prisoners on board.

At 6 observed the prize's mizen mast fall over the stern.

At 7. the main-mast fell, and at 30 minutes past seven the fore-mast, which carried away the bowsprit in falling—people employed knotting and splicing, and fitting running rigging

At 8 40 a light breeze from the N E. took the prize in tow and made all possible sail on the larboard tack.

At 1 light airs and hazy, employed knotting, splicing, and fitting new shrouds and back-stays, bent the new main-sail, the old being shot to pieces

At 3 light airs,—cast off the prize.

At 4 ditto weather, prize in company under july-masts

At 6 committed the body of Captain George Nicholas Har-

dinge, Esq to the deep with the honours of war

At 8 wore and stood towards the prize

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John Luff, ditto, Joseph Litchfield, ditto killed; Joseph Meadows, seaman; William Birdwaine, do. lost a leg, since dead, George Ding, seaman, John Finch ditto, Francis Jackson, ditto, Wilker Boze, ditto, William Long, do., John Acton do. lost two arms, Philip Ulrick, do. William Wakefield, do. lost an arm, Richard Leck, do., W J Brown, quarter-master, John Elther, seaman, Benjamin Poole, marine ~~ex~~ severely wounded.

On the eighth — Geo Nics Hardinge, Esq. captain, John Beer, seaman, John Burn, do., Evan Jones, marine killed, H C Moyey, lie tenant, Thomas Gadsby, corporal, Thomas Clerk, seaman, dangerously, John M Ewen, corporal marines, do., Charles Richards, marine, lost an arm, William Pope, marine, dangerously severely wounded, Henry Thorne, seaman, William Davis, do., George Anger, do. slightly

Killed	-	13
Wounded	-	25
Total	-	38

April 13 On Monday last his excellency rear-admiral Sir E Pellew arrived at this presidency, and on the following day landed at the Dock-head, under the usual honours, with a salute due to his rank.

Arrived at the presidency, brigadier-general Malcolm and lady, Mrs Johnstone, captains Grant, Paisley, and Liddle.

April 22 We this day witnessed, but with mingled feelings of regret and satisfaction the gratifying spectacle of the late French frigate, the Piedmontese, entering the harbour, under the charge of the San Fiorenzo.

She came in under jury-masts, and was towed in by the boats of the men of war from the mouth of the harbour to her mooring ground. The flags of all the vessels in the harbour were hoisted half-mast high, and minute guns, corresponding in number with the age of the late brave commander of the San Fiorenzo, were fired from the flag-ship, the Powerful.

April 30. On Sunday last, Sir

Harford Jones arrived at this Presidency, on board his Majesty's ship, Sapphire, captain G Davies.

The Coromandel catel, from Batavia, bound to Calcutta, passed Tranquebar on the 10th of March; by her information has been received, that the Dutch general, Daendels, with many officers, have arrived at Batavia, to take charge of the different offices at that settlement. Daendels is the officer who commanded the Dutch troops that opposed the first landing of the English at the Helder, under the command of his royal highness the Duke of York.

The arrival of this batch of Dutch and French officers, and the previous one of Mr. Cowel, to supersede Hartsink, pretty plainly proves the intention of Buonaparte to be, to rouse the lethargic, and heretofore passive, disposition of the Batavians in the Eastern Seas, to the annoyance of our commerce. Such an attempt has been long expected, but the prudence and foresight of our annual visits to Batavia, have completely frustrated the means our enemies possessed to molest us in that quarter, and thereby indisputably proved the wisdom of timely adopting measures of precaution. The late governor had left Batavia in an American ship, with all his property, to take a cargo from Cheribon to Europe. Several Danish ships were lying at Batavia, but the Dutch had only a few small craft at General Daerdels's service. An insurrection had taken place at Guesse; the whole island was indeed in the same state, and the islanders declare that the Dutch shall all be murdered before the expiration of the year—a consolatory prospect for the recent importations. The ship in which General Daendels came out was overhauled

on her passage by two men of war, the officers examined his trunks, &c. but could discover nothing suspicious. The general asserted, however, on his arrival at Batavia, that his commission was snugly deposited in his boots. (*Bombay Courier*.)

To his excellency Sir Edward Pellew, Bart. Rear-Admiral of the Red, and Commander in Chief of His Majesty's ships and vessels in the East Indies

Sir,—In compliance with the desire of a general meeting of the merchants, ship-owners, and underwriters of Bombay, we have the honour to transmit the inclosed resolution to your excellency, as commander in chief of his majesty's naval forces in India, and to request that you will do us the honour of conveying to the father of the late gallant Captain Hardinge, and to Lieutenant Dawson, these testimonials of our reverence for the dead, of our admiration for the living, and of our gratitude towards all, who have shared in the late brilliant and memorable capture of the Piedmontese.

We have the honour to be, &c
(Signed) C FORBES,

W CRAWFORD,
W T BURNLEY,
S M THREPLAND,
W KENNEDY,

Committee of Bombay
Insurance Society

Bombay, April 22, 1808.

April 9 At a meeting of the merchants, ship-owners, and underwriters of Bombay, holden for the purpose of taking into consideration the means by which the mercantile community of this settlement may best testify their high sense of the important service afforded to the commercial interests of India, by the capture of the French ship La

Piedmontese; in which brilliant exploit the superiority of the British navy has been so honourably maintained, by the late gallant and lamented Captain Hardinge, and his brave companions, in his majesty's frigate St Fiorenzo—Mr. Morcey in the chair,

Resolved—I. That a vase of the value of three hundred guineas, ornamented with emblematical devices and appropriate inscriptions, illustrative of the splendid services of the late Captain Hardinge, of his majesty's ship St. Fiorenzo, be presented to his father, to be preserved in his family, as a lasting memorial of the admiration excited by the heroism of his son, and a mark of the gratitude of this community, for the important benefits rendered to the commercial interests of British India, by the capture of the Piedmontese, in which the decided superiority of his majesty's navy has been so gloriously maintained.

II That a sword of the value of one hundred guineas be presented to Lieutenant Dawson, of his majesty's ship St. Fiorenzo, in testimony of the exalted sense entertained by this community of the skill and valor with which, in the recent memorable action with the Piedmontese, emulous of the fame of his fallen commander, he followed up and completed the success of the day.

III. That Lieutenant Dawson be requested to undertake the grateful office of distributing in such proportions as he may think proper, the sum of five hundred pounds sterling, among the wounded and relatives of the gallant seamen and marines who fell in the action.

IV That these resolutions be conveyed to his excellency, Sir E.
Pellw.

Pellew, Bait with a request that he will be pleased to communicate the same to the father of the late Captain Hardinge, and to Lieutenant Dawson.

V. That the committee of the Bombay Insurance Society be a committee to carry these resolutions into effect.

(Signed) T. W. MONCNEY,
Chairman.

To the Committee of the Bombay Insurance Society

Gentlemen,—I have to acknowledge the receipt of your letter of the 22d inst enclosing the resolutions of a general meeting of the merchants, ship-owners, and underwriters of Bombay, (of which you are a committee) upon the late gallant action between his majesty's ship *St Fiorenzo*, and *La Piedmontese* French frigate, and requesting me to convey these resolutions to the father of the lamented Capt Hardinge, and to Lieut. Dawson, upon whom the command devolved after the fate of his much distinguished commander.

I receive this request with sentiments of the most grateful satisfaction. Resolutions so honourable to those gentlemen who have thus handsomely expressed their high sense of the services of Captain Hardinge, Lieutenant Dawson, and their gallant followers, will assuredly be received by the parties with just consideration.

The relatives of those who have fallen in this brilliant achievement, will find an alleviation of their grief in this honourable testimony to the memory of the deceased, and their surviving comrades will feel an honest pride in the approbation of those who are so competent to

appreciate the value of their eminent services.

I am, Gentlemen,

Your very obedient servant,

(Signed) EDWARD PELLEW.

His Majesty's Ship *Culloden*,
Bombay Harbour, April 25, 1808.

(True copies) JOHN FORBES,
Secretary to the Bombay
Insurance Society.

H M S *Culloden*, Bombay,
April 29, 1808.

Gentlemen,—I have the honour to transmit to you, by order of his excellency, a copy of his letter, to Lieutenant (now Captain) William Dawson, of his Majesty's ship *St Fiorenzo*, conveying the resolutions of the general meeting of the merchants, ship-owners, and underwriters of Bombay, upon the capture of *La Piedmontese*, together with the reply of that officer, expressive of the high sense of respect and acknowledgment with which these testimonies of honourable consideration for public services have been received.

I have the honour, &c

E H LOCKER.

To the Committee of the Bombay
Insurance Society.

H M S *Culloden*, Bombay,
April 27, 1808.

Sir,—You will receive herewith the resolutions of a general meeting of merchants, ship-owners, and underwriters, at Bombay, upon the occasion of the late distinguished action between his majesty's ship *St Fiorenzo* and *La Piedmontese*, which, at their request, I have now great pleasure in forwarding to your hands.

Although the applause of your own bosom will be estimated by you as an ample recompense for those eminent services, by which you have thus nobly supported the repu-

reputation of your country, you cannot fail to receive very great satisfaction in these public marks of approbation from a body of gentlemen so respectable as the merchants, ship-owners, and underwriters of Bombay.

I have the honour to be, Sir,

L. PELLEW

To Lieut. W. DAVEN, acting in
the command of the *Justice*
Ship St. Fiorenzo

(True copy) E. H. LOCKER.

H. M. S. St. Fiorenzo,
Bombay Harbour, April 28, 1808.

Sir,—The honours conferred on us by the resolution of the merchants of Bombay, are most sensibly felt by myself, the officers and ship's company of the St. Fiorenzo: they acquire superior value by being conveyed to us through our commander in chief—Your excellency has communicated them in a manner highly grateful to our feelings. The handsome tribute to the memory of our lamented captain, is contemplated by his followers as a most honourable testimony of that respect in which his character and public services are universally held.

In accepting the sword which they have been pleased to present to me, may I request your excellency will express for me those respectful sentiments of acknowledgment with which I receive this public mark of their approbation.

In the pleasing task of distributing their bounty among the sufferers on this occasion, I shall receive the highest satisfaction. I am now requested, by those who are about to experience their liberality, to present, through your excellency, their united thanks to those gentlemen who have thus distinguished their services.

I have the honour to be, Sir,
(signed) W. DAVEN
To Sir E. Pellew, bart. P. - Admiral
of the Red &c &c &c

(A true copy) E. H. LOCKER

The inhabitants of Bombay have followed the example of the merchants of that presidency, and in order to manifest their "reverence for the dead, their admiration of the living, and their gratitude to all who shared in the brilliant and memorable capture of the *Piedmontese*," have opened a subscription for the erection of a monument in the church of Bombay, to the memory of Captain Hardinge, late of H. M. S. St. Fiorenzo.

This subscription was set on foot, at the suggestion of Sir James Mackintosh, through the medium of the following letter, addressed
To the editor of the Bombay Courier

Sir,—Yielding to the first impulse of those feelings, with which the heroic death of Capt. Hardinge has filled my mind, I take the liberty of proposing to the British inhabitants of this presidency a subscription for erecting a monument to his memory, in the church of Bombay, a grateful nation will doubtless place his monument by the side of that of Nelson, but the memorials of heroic virtue cannot be too much multiplied.

Captain Hardinge fell for Britain; but he may more especially be said to have fallen for British India.

I should be ashamed of presuming to suggest any reasons for such a measure. They will abundantly occur to the lovers of their country. Nor can I at present bring my mind to consider any details of execution. If the measure in general be approved, such details can easily be arranged.

JAMES MACKINTOSH

In a few weeks nearly 20,000 rupees, upwards of 2,000*l.* sterling, were

were subscribed. At the head of the list were recorded, the names of the gallant admiral, sir H. Pellew, and that of sir James Mackintosh, the learned and eloquent Recorder of Bombay.

Lieutenant, now Captain Dawson, and the officers and gallant seamen who shared in the brilliant achievement, have subscribed liberally, as a tribute of affection and esteem for the memory of their late lamented Captain. The subscription of the seamen, we mention to their honour, is *five hundred guineas*, to be paid out of the prize money arising from the sale of the Piedmontese.

As a vessel was expected to sail for Europe about the beginning of May, it was judged proper to close the subscription, and to take immediate steps for procuring a monu-

ment worthy of the liberality of that community, and of the present state of English art.

The following gentlemen were accordingly appointed a committee, on behalf of the subscribers, to give the necessary instructions for the preparation of the monument, for its conveyance to India, and for its erection in the church of Bombay —

His excellency Sir E. Pellew, Bart. Sir James Mackintosh, Major-General Jones, William Taylor Money, Esq. Francis Warden, Esq. S. M. Threlkland, Esq. E. H. Locher, Esq. and G. C. Osborne, Esq. The list of subscriptions raised at Broach and Tannah had not been received when the ship sailed from Bombay, but then arrival was daily expected.

Occurrences for MAY.

May 3 — The annual produce of cotton at Bombay, which was formerly about 6000 bales, is now estimated at 85,000, of which, it is said, a considerable quantity has been purchased by government, who are now loading the Wexford Indiaman with that article for the Europe market.

May 14 — On Wednesday last, the large and beautiful ship, belonging to Messrs Forbes and Co. built under the directions of Jamsetjee Bonjee, floated out of the upper dock, in the presence of his excellency Sir E. Pellew, W. J. Money, Esq. and a large assembly of spectators.

She was christened by Sir E. Pellew, with a bottle of good English port, and is named the Bombay, her burthen is 1250 tons.

May 2^d — A comparison has been made of the quality of British and of French powder; used in the late gallant action of his Majesty's ship San Fiorenzo, with the French frigate La Piedmontese; and a decisive proof has been the result, as to the superiority of this essential ingredient in British thunder. From a seven-inch brass mortar, with three ounces of powder, a sixty pound brass ball was projected at an angle of 45°, and on an average of three trials gave 595 feet to the San Fiorenzo, and 516 feet to the La Piedmontese, making a difference in favour of the British powder of 79 feet.

After such an experiment, it must appear singular that the French should be so partial to a long shot.

May

May 26 —An article from Bushne states the expected arrival, at that place, of a person of high rank and consideration, appointed by the king of Persia, to officiate as mehmander to the embassy of Brigadier-general Malcolm.

Occurrences for JUNE.

June 2 — Yesterday, the anniversary of the memorable first of June, a splendid ball and supper was given by the captains of the royal navy, to the ladies and gentlemen of the presidency. The spacious house in Forbes-street, allotted by the government to their residence, was superbly illuminated on the occasion, and the noble suite of rooms decorated with appropriate ornaments. A variety of naval colours, disposed in beautiful festoonery, produced a happy effect, while several transparencies and drawings, tastefully arranged, awakened the liveliest feelings of sympathy with the subjects to which they alluded. Amongst these was the St. Fiorenzo and Piedmontese in close action, at the period of the contest, when the gallant Hardinge fell.

A transparency well conceived, and happily executed, paid a just tribute to his excellency Sir E. Pellew in representing the *La Nympe* and *Cleopatra*, commencing the first engagement, which took place in the last war; an action which proved the auspicious omen of our subsequent dominion of the ocean.

Another large transparency represented the glorious battle of the first of June, 1794, perhaps the most critical and decisive of the fate of the British empire, of any that was ever fought.

The company assembled at ten, and did not depart until the dawn of the ensuing day.

June 8 — On Saturday last, his Majesty's birth day was kept with becoming magnificence. A royal salute from the battery was returned by a *feu de joye* from his Majesty's, and the honourable Company's ships in the harbour; and in the evening, Sir Haiford Jones, his Majesty's envoy to the court of Persia, gave a sumptuous dinner to the governor and gentlemen of the settlement in honour of the occasion.

June 25 — By letters from Madras we learn the safe arrival there on the 13th instant, of his Majesty's ship *Culloden*, having on board the flag of his excellency Rear-admiral Sir Edward Pellew, after an extraordinary quick passage of nine days from this place. The *Culloden* captured the *L'Union* privateer brig, of eight carriage guns and seventy men, on the morning of the 10th, the busses beating N. N. E. 50 miles. The privateer at first gave chase, but discovering his mistake when the *Culloden* hauled to the wind after him, he instantly took flight, but the wind being high, and the sea heavy, he was taken after a chase of two hours and a half on the same tack.

Occurrences for JULY.

July 2.—Yesterday arrived at this Presidency a detachment of artillery and pioneers under the command of Captain Fitzpatrick, they marched overland from Madras

July 10.—We have received accounts of general Malcolm having landed in safety at *Bashie*, and having sent on Mr Pasley to announce his approach

Instead of 300 Frenchmen, as had been reported, it had been ascertained that there were only 30 at the court of Persia. Who they are, or of what rank or description, we have not been able to learn, but from the known intrigues, and activity of their nation, it is to be feared it will be matter of much difficulty to counteract their influence. It is clearly the policy of Persia to keep on good terms with the power at the head of affairs in India, without making itself a party in any contest of rival Europeans. Still there is considerable apprehension that the baits held out by the French, though delusive, may at first sight be so alluring as to procure a co-operation. To general Malcolm's ability, we trust for representing that such a co-operation, if successful, would tend only, as it has invariably done in Europe, to establish a power which would evince its gratitude to those that had assisted in its elevation, only by making them the first objects of humiliation and oppression.

July 20.—On Thursday last, the quarterly sessions of Oyer and Terminer, and general gaol delivery, commenced before Sir James

Mackintosh, Esq., recorder, and his associates, Luke Ashburner, Esq. Mayor, and Robert Stewart, Esq. Alderman

GRAND JURY.

Charles Forbes, Esq.

Foreman

John Snee,	T. D. Beattie,
John F. H.,	J. Withers,
R. V. Coward,	H. R. Whitcome,
J. Lakner,	J. Laker,
C. Sherruck,	E. M. Lloyd,
G. V. Duivy,	Thomas H. Davies,
E. Nash,	William Stenton,
R. Nesbit,	P. G. Innes,
William Moffat,	Wm. Mackintosh,
M. Craig,	T. A. Pope, and
Thos. Maughan,	J. Pavin, Esqrs.

Fiskie woman, indicted for the murder of her child, was tried and acquitted

Buggie woman, widow of Dhoondie, and Condie woman, were tried and convicted, on their own confession, of poisoning the husband of Buggie

Never did there appear a more striking instance of insensibility, than was exhibited by these wretches, both on their apprehension and their trial

Mr Thriepland, the advocate-general, conducted the prosecution, and prefaced the proceedings by observing, that the crime of murder was greatly aggravated, in the case before the court, by the relation, which subsisted between one of the prisoners and the deceased, and by the mode of death to which she had resorted. Murder by poison, had always been accounted the most atrocious of any, from the deliberation which it implies, the facility with which it is perpetrated, and the impossibility

sibility of guarding against such secret means of homicide. From most other acts of violence, a man has, at least, an opportunity of defending himself, but, in cases of poison, he is taken by surprise, and his death ensued before he is aware that his life is in danger.

We subjoin the evidence that was given on the inquisition.

The declaration of Buggie woman, wife of Dhoondie Hindoo, taken before Joseph Douglas, coroner, upon an inquest held on view of the body of the said Dhoondie, deceased, this 20th day of May, 1808

Declares,—That she hath been married to her late husband many years, but they have not lived together on account of frequent quarrels, that her husband came from the other side about a month ago and lived with her, when upon her husband's being unwell about a fortnight ago, she gave to one Condie, an old woman, five rupees, to buy some medicine for her husband, saying, "that she had quarrelled with her husband, therefore get some medicine that will kill him," which the old woman promised her to do that about three days afterwards, she applied for the medicine, and the old woman gave her some, and said this is the poison, it was white powder in paper, that on Wednesday night last she mixed the said powder with her husband's rice, part of which she saw her husband eat, that her husband died about three o'clock this morning

The mark + of
BUGGIE WOMAN

Taken and acknowledged with her own free will before me.

(Signed) JOSEPH DOUGLAS,
Coroner.

The declaration of Condie woman taken before Joseph Douglas, coroner, upon an inquest held on view of the body of Dhoondie, deceased, this 20th day of May, 1808

That about five days ago, Buggie woman came to this examinant's house, and desired her to give her some poison for her husband, saying, she had quarrelled with her husband, upon which the examinant gave her some arsenic, in small pieces, in a paper, telling her it was arsenic poison; Buggie then informed her that, as soon as she should have succeeded in her business, (which this examinant understood she meant to be the death of her husband) she would give her twenty-five rupees, as a present, then Buggie desired this examinant, that if she should send one Rave woman in the evening, she must give her some more of the same medicine that he may die quickly; and this examinant lastly says, that Rave woman came to her in the evening, and told her, that Buggie had sent her for her medicine, when she gave her a piece more of arsenic tied in a cloth.

large gangrenous spots in different parts, which he has no hesitation in declaring, to the best of his opinion, was the cause of his death, and also is of opinion, that these appearances have been produced by a white powder, several particles of which were found in the stomach, and to all appearances resembled the white calx of arsenic, but which could not be collected in sufficient quantity to be more clearly ascertained.

(Signed) JOHN ROGERS,
Assist-Surgeon

Taken before me, the day and
year above written.

(Signed) JOSEPH DOUGLAS,
Coroner

A young Prince was also convicted on his own confession, of stealing a quantity of wine from the residence of his Majesty's navy captain.

At the last sessions for this place, Mahomed Aga, an Arab, Nacquedah of the ship General Band, was indicted on Stat 9 and 10, W 3, c. 41 for having a quantity of cordage, marked with the king's mark, found in his possession, he not being a person employed by the commissioners of the navy to make the same for the king's use.

After the jury had been charged, the advocate-general was proceeding to state the case on the part of the prosecution, when he was stopped by the counsel for the defendant, who stated that, as neither the fact of possession could be disputed, nor any certificate, under the hands of any of the king's officers, at the occasion of such stores coming to the possession of the defendant could be produced, they proposed that that verdict of guilty should be taken.

But as the defendant was not a regular inhabitant of Bombay, but a foreigner and a stranger, and, therefore, not likely to be acquainted with the provisions of the act in question, which made the bare fact of possession without the required certificate conclusive against him, they trusted, that Mr. advocate-general would not think it necessary, in this case, to press a rigorous adherence to the maxim of law, that *ignorantia legis neminem excusat*, but would admit the reasonableness of their application that the defendant should be discharged without receiving any punishment. In making this application, however, the counsel for the defendant wished it to be understood, that, in addition to the strong presumption of ignorance, arising from the circumstance of his being a stranger, the institution, they had received would enable them, if necessary, to make out a strong case to shew, that no fraud or misbehaviour in acquiring possession of the cordage was imputable to the defendant.

The advocate-general observed, that from the enquiries he had made he was led to believe, that the plea of ignorance was more than a pretence on this occasion. The prisoner was certainly a stranger, and might not be aware that the mere possession of the stores in question was sufficient to subject him to conviction and punishment. It was but reasonable that some allowance should be made in a place like this, the resort of foreigners of all descriptions, to whom, on many occasions it would be far from equitable to apply the principle, that ignorance of the law excuses no man. This, however, was the second warning on

on the subject which had been given, and he begged it to be noticed, that he should not feel himself at liberty to be equally lenient in any future instance of the same offence.

The honourable the recorder approved entirely of Mr advocate-general's assent to the application, which had been made in behalf of the prisoner, which acquiescence, however, he had very properly intimated would not again be so readily obtained. The law on the subject, though severe, was extremely necessary, and after due notice had been given of the intention to carry it into effect, it was not to be expected that excuses would be listened to.--- On the present occasion, the clerk of the crown would record what had taken place, and discharge the prisoner on his own recognizance.

Mahomed Aga was then called to the bar, and discharged accordingly.

The stores, of which the *concealment*, or the *lare possession*, unless by persons properly authorized to make them for the king's use, will subject the party to conviction, are as follow.

Any cordage of three inches and upwards wrought with the white thread laid the contrary way.

Any smaller cordage, viz from three inches downwards, with a line in lieu of a white thread laid the contrary way.

Any canvas wrought or unwrought, with a blue streak in the middle, or with a blue streak in a serpentine form.

Any bewper, otherwise called buntin, wrought with one or more streaks of raised tape.

Any other stores, with the broad arrow, by stamp, brand, or otherwise.

Occurrences for August.

August 2.—The Recorder delivered the judgment of the court, in the interesting cause of Mulhar Row, *vers* Hormusjee Bomanjee, in terms nearly as follow.

This is an issue directed by this court, as a court of equity, to try the question, whether the soil and freehold of a spot of ground called Baboolnauth Hill, be in the defendant, or in the Hindoo community, for the purposes of their religious worship. This spot is admitted on both sides, to have been, in the year 1774, the property of one Pandoo Sewjee, and the question of fact, on which the issue depends, is, whether, in April 1800, it was in Pandoo, or in the Hindoo com-

munity. If it were then the property of Pandoo, it must now be that of the defendant. If it were then vested in the Hindoo community, it must still continue so to be vested. All Pandoo's property in the neighbourhood was then purchased at a sheriff's sale by the defendant. If this spot had before been *fully and lawfully* conveyed to the Hindoo community, it could not have been acted upon by a judgment against Pandoo; if it were not, it was certainly purchased from the sheriff under an execution against Pandoo's property, and is now the freehold of the defendant.

As a question of fact and law, it is short

short and not difficult ---But it is of great importance, as it affects the religious opinions and usages of the Hindoos and Parsees, the one of whom claim the ground as the site of a temple dedicated to their worship, while the other seek to deliver themselves from this temple as an intrusion upon that solitude, which they desire to spread round the mansions of their dead. I trust that both parties will acknowledge, that we have investigated, with the utmost patience, labour, and respect, their rites of sepulture, and of worship, all of which are repugnant to our manners, and some to our moral principle. In this respect, indeed, we have only done our duty. We do not affect to tolerate the religions of our subjects as if they were matters of sufferance and indulgence. We protect them equally and rigorously, and we take care that they shall be no more treated with insult or levity in this court, than they would be by judges who deemed the rites to be sacred.

In the present case we have to consider the usages of the most ancient nations, and religions of the world. The Hindoos have strong claims on our attention from the mere circumstance that they form the vast majority of our subjects in India; and as one of the earliest of civilized nations, they will not be contemplated by liberal and generous minds, without some portion of compassionate respect. The Parsees are a small remnant of one of the mightiest nations of the ancient world, who, flying from persecution into India, were for many ages lost in obscurity and poverty, till, at length, they met a just government, under which they speedily rose to be one of the most opulent mercantile bodies in Asia.

In this point of view, I consider their prosperity with some national pride. I view their wealth as a monument of our justice, and, I think, we may honestly boast, that the richest inhabitants of this settlement are not of the governing nation. This little tribe is, on other accounts, interesting. They have preserved the activity of their minds, and the vigour of their bodies, during a residence of a thousand years in India. This is a sufficient refutation of those dastardly and degrading theories, which represent courage and understanding as incompatible with a vertical sun, and which are so climate, that degeneracy which ought to be considered as one of the effects of superstitious and tyranny.

What fancied Zone can circumscribe
the soul,
Who, conscious of the source from
which she springs,
In reason's light or revelation's wings,
Spontaneous her frail companion doubtless
goes,
Through Lybia's deserts, and o'er Zembu's
snows."

They are said to be "paise-proud." Even this unamiable quality is a mark of some progress. Wealth must be secure, before men can be paise-proud. Under a rapacious tyranny the paise inspires more fear than pride. There is a sort of moral *interregnum*, after nations have thrown off their ancient prejudices, before they have substituted nobler principles in their stead. The appearances exhibited by men in this state of mind, have, sometimes, on a large scale, been the most dreadful in the history of the world. On the smallest scale they are not agreeable.

The Parsee merchants are intelligent enough to know and feel the difference of their present from
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their former condition. They know that, as long as they lived under tribunals, which could be influenced by favour, they were poor and miserable, and that they have become rich and flourishing since they were subject to courts where favour and partiality would be considered as a greater abomination, than those sacrilegious pollutions, which they hold in the greatest abhorrence. If they were again to fall under courts that could be influenced, their wealth would speedily vanish. They will not be such suicides, as, for the sake of avoiding some disagreeable judgments, to wish that the principle were weakened, on which their safety and their wealth depend.

Something has been said of policy --The only policy that can be considered in this place is justice, which, as a great man has well said, "*is itself the standing policy of civil society*" But I am persuaded, that there never was any disaffection among the Hindoos, and that a submissive and gentle nation, which has yielded passive obedience to so long a succession of tyrants and persecutors, feel nothing but gratitude towards those who protect their property and their religion. No grounds for such a disaffection were most certainly ever furnished by those persons, respectable for their blameless lives, entitled to the veneration of all men for their disinterested purpose, who have sacrificed all the ordinary pleasures and advantages of life, well, or ill-founded, of spreading Christianity in the East, who would spurn with horror the aid of coercion, if it were offered, who disclaim even the favour and countenance of authority, and who desire only that toleration, or rather obscurity, which a Christian go-

vernment most justly affords to its Hindoo and Mahometan subjects.

But to return --The question is, whether, before the sale by the sheriff, in 1800, Pandoo Sewjee had not devoted this spot to the public use of the Hindoo community, by building and consecrating a Pagoda upon it.

The question depends upon considerations of *fact and law*.

1st. The case of *fact* for the plaintiff consists of two parts.

The original consecration of the Pagoda, and the solemn renunciation of the property, is proved, by two eye-witnesses, the Bramins, who say, that they took part in the ceremonies. That the Hindoo code admits considerable laxity on the subject of religious perjuries, seems beyond all doubt, though it is not easy to determine how far this relaxation extends; and it is the less necessary, because it seems to be faintly denied, if not absolutely admitted for the defendant, that some sort of consecration, regular or irregular, for private or public uses, did then take place. It is of no great importance also, because I shall treat the testimony of the Bramins, according to the principle of Indian law, quoted by the counsel for the defendant, from my friend's, Major Wilks's, excellent Report on Mysore, "*that a witness is not to be believed, unless his testimony be supported by other circumstances*"

The plaintiffs has accordingly endeavoured to support their testimony by several circumstances, the most important of which is the notoriety of the subsequent public use and enjoyment of the Pagoda, by the whole Hindoo community, for a period of twenty-five years.

This is proved by four Bramins, one of whom was the officiating priest

priest of this Pagoda for thirteen years, and another assisted at a religious ceremony performed in it with twelve other Bramins.

It is proved by five considerable Hindoo inhabitants of different casts, unconnected with Pandoo Sewjee, and residing at some distance from the spot, who have occasionally offered their devotions in this temple, and who must be considered not as single witnesses, but as representatives of the classes to which they belong. They seem to include the whole community. They were distinguished from the rest by no circumstance of neighbourhood or connection. Their admission seems, therefore, evidence of indiscriminate enjoyment.

Two inhabitants of the village of Gingon prove, that this spot, before the erection of the Pagoda, was the object of reverence to that village, that they visited the spot in their religious processions, and that, since the pagoda has been built, they repair thither with the same veneration as to the most renowned temples of the island. Now, what is open to a whole village must be considered as public.

The use of the Pagoda, indeed, by the village, is proved by the defendant's principal witness, Pil-lagee, who also proves the fact of some sort of consecration, whether regular or irregular. The consecration is rendered probable by the decent which Pandoo practised on the Panchaset of the Parsees, manifesting his serious intention, and eager desire to consecrate; and by the previous sacredness of the place and tradition, that it had been the seat of an ancient temple, proved by many witnesses, and particularly by the respectable testimony of Mr. Burrows.

This circumstance of subsequent public use is of such nature, that if it had been false, it could easily have been disproved, and it is so important as to be almost decisive, for it never can be supposed that, without some previous consecration, such an use could have arisen or continued. Nothing, therefore, turns upon the credit of Bramins, or of other Hindoos, in a cause where their religious zeal is engaged. The whole depends on circumstances which cannot lie --- Some sort of consecration is proved even by the defendant's principal witnesses, and the subsequent public use is not attempted to be disproved.

It is, however, said for the defendant, that the subsequent conduct of Pandoo proves his consciousness, that he had not dedicated this spot to religion and the public, that he received the profits of the field, and permitted pollutions in the Pagoda, which never could have happened if he had not known there was no consecration.

But as he maintained the priest, he might think himself entitled to the surplus revenue; and as to the profanations, whatever their legal effect, which is matter for future consideration, it is obvious that, for the present purpose, they prove too much, for it never can be doubted that he meant to establish at least a private Pagoda; and it cannot be contended that these profanations would not as much affect a private as a public Pagoda.

But it is said that this was only a private Pagoda; it is, however, said gratuitously. It has no support from the evidence, which is universally in support of indiscriminate admission. If the evidence is altogether to be rejected, there

was no pagoda either public or private. If it is at all believed, it establishes a public pagoda and no other. There is no trace of any other, there was either a public Pagoda or none

It seems, therefore, to be a fact most certainly established in this case, that Pandoo did actually consecrate and renounce to the Hindoo community the spot now in dispute

2d But the great, and, I think, the only arguable question remains, whether this consecration and renunciation be valid by the religion and law of the Hindoos

It is held by the pundits of this court, and of the Sudder Dewannee Adawlut, that Urcha, a sort of lustration, the ceremony employed on this occasion, is the proper ceremony in case of old images of a divinity, or symbols of his worship, which have been profaned. It is held by Vincantee Shastree, from Benares, and by ———, from the Carnatic, that Pruteeshta must be performed in all cases where the symbol of Mahadeo has not been found in the bed of a river formed by the hand of nature

Both parties have produced texts of books deemed sacred, or, at least, respectable in support of their opinion.

Before I consider this difference of opinion, I must observe, in fairness to one, who is too modest ever to claim justice for himself, that, without the guidance of Mr. Erskine, I should not have thought myself safe on such ground as this, and that this court possesses in him an officer, whose knowledge, distinguishing judgment, and enlarged understanding, afford a most unusual security against imposture, in all matters regarding

the religion, laws, manneis, or languages of India.

These foreign Bramins, when they oppose the opinion of our native law officers, must do so under considerable disadvantages. Of them we know nothing; we are well acquainted with the character of our own pundits. They have little to lose by falsehood; they are at Bombay to day, and at Benares to-morrow. Our pundits risk then all by imposition, detection subjects them to the loss of their consequence, their character, and their very livelihood

It is further to be observed, that the foreign Bramins are, on this occasion, not pundits. Under the general appellation of Bramins are comprehended many classes, of whom the great majority neither possess, nor pretend to learning. Great numbers are engaged in occupations purely secular, many others, the officiating priests in temples, know nothing but the detail of their ordinary ceremonies, and recite, often without understanding, the Sanscrit verses, which form part of their liturgies. The Shastrees are a higher class, and may apply themselves to any profane science. But the Pundits alone are doctors of theology and law. One of these witnesses was at first guilty of an affectation not quite peculiar to India. He gave himself out as more learned than he proved to be. But he did not persevere very strongly, and he soon acknowledged that he was no Pundit, and, consequently, not an authority of equal weight with the native law officers of this court.

But what was still more important is, that both these foreign Bramins are the adherents of a sect perfectly different from that whose

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rites are now in question. They are both *Veshnuvees*, and the question before us respects the worship of *Mahadeo*. Their liturgical tests, only relate to the worship of *Vee-hnoo*. One of them says, that he knows nothing of the worship of *Sheva*, but from hearsay. The other saw one consecration of a temple of *Sheva*, but he could be expected to have little accurate knowledge of the subject, who, as the follower of another sect, was obliged to retire, when the moment arrived for the performance of the most sacred ceremonies.

These *Veshnuvee* Bramins are in truth no more authorities about the worship of *Sheva*, than the archbishop of Toledo would be about the discipline of a Quaker meeting.

But even supposing that these priests of another sect, of an inferior order, of a foreign nation, of probably less learning, and of a character totally unknown to us, for whose intelligence and probity we have no pledges, were to be thought more correct in their general doctrines, than the Pundits of Bombay, this would by no means be decisive of the present question. The only necessary consequence would be, that the Hindoos of Bombay have deviated from the path of orthodoxy, that they are schismatics, or even heretics. Be it so; still a schismatic or heretic may found a temple. An heretical or schismatical community may receive and enjoy it. Our business is not to reform the errors and abuses which may have crept into the Hindoo church. We are to protect all our subjects in the exercise of that religion which they think right, and we are not to measure it by the standard which we

ourselves think right, still less are we to try it by comparison with what the learned or orthodox doctors of Benares, or Triputee, think right. Our question is, what is the usage of the Hindoos of Bombay, of whom the founder was one, and to whose use he dedicated this temple. Now of that usage our Pundits must be allowed to be the best witnesses; and they tell us that, according to that usage, this Pagoda is rightly consecrated. They state, indeed, that the same ceremonies were employed in the consecration of the most sacred Pagodas of that island, as that of *Mumba Devi*, herself, the guardian goddess, from whom it has received its name. It is sufficient for the purpose of this cause to decide, that this was a legitimate consecration, according to our local usage. To proceed upon other principles would lead to inextricable confusion. In a religion like the Braminical, spread over so vast an extent of country, many parts of which are ignorant, and have little communication with each other, there must be great local varieties in rites and ceremonies, especially in liturgical formularies which have fluctuated even in learned countries, and unvarying religions. It is divided into innumerable sects, and the opinions of the doctors, both philosophical and theological, differ as much as the practice of the vulgar. In such circumstances, if we were to enquire beyond the established usage of a district, or a feast, we should transform ourselves into a synod, for trying the orthodoxy or heterodoxy of Hindoo communities.

But it is said, that even among the plaintiff's statements of law, *Pruteeshita* was here the proper ceremony, because the *Leeny* was not found.

opinion is of no importance. *The judgment against Pandoo could only affect that which was then his property.*

But though the sheriff's opinion can never be supposed to have the least weight with respect to the important questions of law and fact, which are now in dispute, I think myself bound to say, that I consider that opinion as a full justification of the conduct of the defendant. It was most natural for him to conceive that to be his undoubted property of which the sheriff delivered possession to him. As such, it would have been strange if he had not defended it. The neighbourhood of the tombs is fairly stated as only a collateral inducement---Nasseewanjee Monackjee, an opulent Parsee merchant, of whom I have always heard a good character, has told us that they consider the rites of the Leeng as an intrusion into the neighbourhood of their tombs, more than usually obnoxious.

Here we see the immutable character of an Asiatic race. The remains of those Persians who three and twenty centuries ago, in the armies of Xerxes, destroyed the temples of idols, who were among the most ancient monotheists and iconoclasts of the world, still preserve their abhorrence of idolatry, and shew it with peculiar force against those idolatrous symbols which, though they are to be found from the mountains of Thibet to the Apennines, are always peculiarly abhorrent from the moral sentiments of man unperverted and undegraded by superstition.

There is scarcely any thing in which all nations more agree than in sentiments of affection and reverence for the remains of the dead. It is a necessary consequence of the most general laws of the human

mind - every thing the most slightly connected with those whom we loved is dear to us---Their remains are sacred. The honours paid to them may be considered as the opposite of cannibalism. Funeral honours are an exercise of affection towards the remains of those who were loved, cannibalism is an exercise of revenge on the remains of those who were hated. The one nourishes that benevolence from which it issues, and which it seeks to extend beyond the narrow limits of life---The other exasperates and barbarizes the malignity from which it springs, and on which it struggles to bestow a sort of infernal immortality.

But in this, as in other cases, the same common sentiments assume, in different nations, the most dissimilar and adverse forms. Reverence for these beloved remains have prompted many nations to adopt the practice of burning them dead. It seems a pure and elegant mode of exempting them from the power of corruption, and of preserving them in such a form that they need not be banished from the view of the affectionate survivors---But to those who have not adopted this practice it would probably appear like offering violence to the object of affection, it would seem to be a sort of second killing; a barbarous and impious destruction of what even death had spared.

Sentiments equally pious have led perhaps the majority of mankind to the very dissimilar practice of interment, to remove the sacred remains from the situation where they can be seen in a humiliating and disgusting state, to guard them from the world and insulting eye of the stranger, to enclose them in the tranquil bosom of the earth, with
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a thousand imaginary securities against violation, and to leave them to the gentle and gradual decay of nature, without taking any active part in their destruction

Feelings of a very similar nature led the ancient Persians to that peculiar mode of burial above ground, which is still practised by their descendants in this country, and it must be acknowledged, that no sentiment can be more natural than the desire of insulating such repositories of the dead, of guarding them by a sort of sacred solitude from outrage, from the eye of frigid curiosity, and perhaps from the abhorrence of adverse sects.

For, nearly as the feelings which produce this mode of disposing of the dead approach to those which lead to the common practice of interment, there is, perhaps, none at which our habitual sentiments are more apt to revolt; but, if our own mode of burial were a new practice, to be examined for the first time, it is not without circumstances abhorrent to their feelings, which might make it seem to be an

obscure and gloomy imprisonment of the sacred remains of the dead.

In these and in all other instances, common men cannot sufficiently cultivate the sentiments which give life to their own most useful and respectable practices, without suffering themselves to feel some abhorrence for the equally natural, useful, and respectable, though totally dissimilar usages, of other nations

But a philosopher respects all the venerable forms of humanity, however various and unlike, reverts in them all the attempts to carry affection beyond the grave, an attempt, vain, indeed, for the secondary and paltry objects of animal existence, but which is not vain as part of that grand moral discipline which humanizes the heart of man

Counsel for the plaintiff, Mr. advocate-general, solicitor, J. Cum-berlege, Esq.

For defendant, Mr Woodhouse and Mr. Macklin

Solicitor, S. Humphreys, Esq.

Occurrences for SEPTEMBER.

Sept 10 —On Thursday last the rain fell in greater abundance, and continued with unabating violence for a longer time, than has been ever witnessed by the oldest inhabitant in the place. The whole surface of Bombay Green was covered with water to a considerable depth, and the streets were rendered for a time impassable by the depth and rapidity of the currents which ran down them. In the Parel road, the water ran with considerable velocity at the depth of four feet.

In the country, several hundred yards of garden and oart walls were thrown down, and by the united force of the wind and water, upwards of five hundred Coconut trees were laid prostrate.

Five persons are supposed to have been drowned

The rain continued, but with diminished and intermitting violence during the succeeding night and day.

No injury whatever is done to the Batty crops. The prevailing belief amongst

amongst the natives in this Island is, that the growing crops never can receive injury from rain which falls during the first seven Nukshuthurs of the monsoon. The rainy season we understand is supposed to continue during eight portions of time consisting of fifteen days each, called Nukshuthurs, each of which has its appropriate name, and the last is called Elephanta, from the gathering of the clouds observable at that time towards

the quarter in the direction of the Island that goes by that name; during which, if the rain fall in any quantity it is injurious to the crops in this part of the country, though those to the Northward are still benefited by it. The sixth Nukshuthur is now at its conclusion.

On Thursday last, General Champagne and suite landed at this place under a salute due to his rank.

Occurrences for OCTOBER.

Oct. 15th.—As an additional instance of the flourishing state of ship building at this presidency, we have the pleasure to announce, that, on Monday last, the silver nail was driven by the honorable the governor, in the presence of a number of respectable spectators, on the occasion of laying down the keel of a twelve-hundred ton ship, intended for the mercantile service of the honorable company. The name bestowed on this new ship is the *Charles Grant*, and there is no doubt she will do honor to the ascertained abilities of Jemsetjee, the master builder, who is thus carrying on, in the same dock-yard, the construction of two of the largest description of ships, one for the king, and the other for the company.

SURAT, Oct. 16th. — Lately a Suttee, or ceremony of a Brahmin woman burning herself with the body of her deceased husband, took place at Phooltarah, a village about two miles from Surat, on the banks of the Taptee. I went there very early, and arrived at the spot, long before any preparations were made

for the approaching solemnity. At length twelve slight poles were fixed as uprights in the ground, round which a wall of Jewanue stalks was placed, as was a roof also of the same stalk, forming a shed of six or seven feet square, and about six feet high, with a small door-way facing the river. A platform or bed was then formed of billets of wood—six feet long, and between two and three feet wide, and two feet high. This was the funeral pile. In a short time after, the body of the deceased arrived, preceded by tom-toms, and followed by the Suttee, surrounded by Brahmins, and attended by her son, a youth of about 18 years. The deceased was an old man with grey hairs—the woman appeared about forty, and was very stout. She sat down before the door of the pile, and after performing a few ceremonies, she attended the body of her husband to the river, where she performed various ablutions. The Brahmins all this time, as well as at her first arrival at the pile, prostrating themselves at her feet as to a superior being. At her return

return from the river she sat down near the opening of the pile, and the body of her husband was placed beside her. The body was then uncovered, on which she, with one of the most emphatic expressive smiles I ever saw, bowed her head towards his face, and said, in a mild tone of voice, in the Moorish language, "Ah, my husband!" Her look to me indicated more; as though she would have said—Never mind, my husband, we shall not be long separated. The body of the deceased was then carried into the inclosure and placed lengthway on the funeral pile. She then went through various mysteries and ceremonies, too intricate for me to understand, but among others she poured Ghee several times on the sacred fire which was placed before her, when her son took some of the ashes and put them in her mouth, which she swallowed—She then drank three separate times of consecrated water. On returning the loote to one of the officiating Brahmins, he found a little left, which he swallowed with uncommon avidity, she then received a few rupees at two different times from her son, and presented them as offerings to the priests—Three female relations were then allowed to approach her, they threw themselves at her feet, and seemed imploring for something, she touched all their foreheads, and gave each some grass, rice, and flour, and they departed. I must not omit mentioning that blades of grass were invariably used even in the most trifling ceremonies.

She was then decorated with a necklace of camphire, and bracelets of the same—as also a wreath forming a turban, indicative of her throwing off the nature of woman-

hood, and assuming that of the man, all these mysteries being concluded, she arose and prepared to walk round the pile seven times. The first round two Brahmins laid hold of her to support her, she, in an audible voice, declined their assistance, and said she could walk alone—and indeed the oftener she went round, her step appeared the more firm and determined. This ceremony being completed, she entered the inclosure, and seated herself on the pile in an upright posture, and placed the head of her deceased husband in her lap. Ghee, in large quantities, had been previously poured on her head and garments, pieces of camphire, cow-dung, plantain grass, rice, flour, &c &c were then strewed over the body of the dead man. Billets of wood were then placed by the officiating Brahmins in a pyramidal form around her, and a few bundles of very dry brush-wood were placed at the top near her head; the sacred fire was then given by one of the Brahmins to her son, who presented it to his mother. The head Brahmin remained in conversation with her for a quarter of an hour, during which period she held the light in her hand, a leaf of the shaster was also carried in, and, as the Brahmin did not bring it out again, I suppose that this was also placed on the pile. The Brahmin then took leave of her, and when he came to the door (as if anxious that an European should be a witness of her setting fire to the pile with her own hands,) he beckoned me to approach, when immediately, I saw her bow her head on that of her husband, and on raising it, set fire to the brush-wood above her. It did not burn as quick as was expected, during which time she

sat as composed as if she had no interest in the affair. The Brahmin close to me seeing this, threw some fire on the pile, and in two seconds the whole was a complete conflagration.—While the bodies were burning, the Brahmins kept dancing round the funeral pile with enthusiasm and apparent satisfaction.

The conduct of the officiating Brahmins was liberal and open to a degree; and so far from opposing my approach, they appeared anxious that I should see the whole minutely, that I might relate that every thing had been conducted without deceit or persuasion. I accordingly took my station by the angle post at the door, where I remained the whole time; the Suttee at not more than three feet distance from me. She appeared so totally absorbed in her prayers, and performing the necessary ceremonies, and in conversation with her son,

that she paid not the smallest attention to any thing round her, excepting once, when she waved her hand to me not to advance nearer. During the whole ceremony, which lasted considerably more than an hour (for I was too much interested to look at my watch) she was as firm and collected, and perhaps more so, than most of the bye-standers. I never took my eyes off her the whole time, and dare assert that not the smallest degree of compulsion was used, and that upon the whole, this instance of fortitude and heroism may have been equalled, but never surpassed, and may certainly be accounted as extraordinary a display of the powerful effects of religion upon the human mind, as any upon record in the annals of either ancient or modern nations, and induces us to credit the otherwise almost improbable narratives of antiquity.

Occurrences for NOVEMBER.

Nov. 6th.—About two years past we had the satisfaction to make known to the public, a most munificent instance of the liberality of the mercantile part of the society at Bombay, in their very generous presents to Sir Nathaniel Dance, and his associate captains, who commanded the fleet of East India ships, which so gallantly attacked, and put to flight, admiral Linois, with his squadron of French men of war.

The particularly meritorious conduct of captain Tunns, who, on that occasion, commanded the Royal George, East Indiaman, was not, it appears, at the mo-

ment, understood by the gentlemen of Bombay; but when the very gallant manner in which he led his ship into action, in consequence of being placed in the van, came to their knowledge, they considered it incumbent on them not only to give it their particular attention, but to explain the cause of their not having, in the first instance, distinguished his particular merit: we have been favored with the following letters on this subject, which we have great pleasure in publishing—*Bombay Courier*.

*To J. Fortes, Esq. and P. C. Bruce,
Esq. M. P. London.*

Bombay, 2d May, 1807.

Gentlemen,—We had lately the pleasure

pleasure of receiving by the Huddart, your favor of the 30th June, 1806, and its enclosures, by which we have the satisfaction to perceive, that the wishes of the commercial meeting of this place, held on the achievement of Sir Nathaniel Dance, and his brave associates, had been carried into effect, except as far as they related to captain Timins, of the Royal George.

The desire which is felt here to leave no part unaccomplished of what was so sincerely and honorably intended; to convey a just and highly-deserved tribute of applause and gratitude from this community, will, we trust, be a sufficient apology for again soliciting your assistance, towards presenting to captain Timins a more adequately-appropriate testimony of the high sense entertained of the very distinguished share which he bore in the action, than the limited knowledge of the transactions of that memorable day, which the meeting of the 31st March, 1804, were then in possession of, enabled them to determine upon.

The information subsequently received of the eminent claim of the commander of the Royal George, whose undaunted and heroic bravery, in leading into battle, and laying his ship alongside of the *Marengo*, still excites our admiration, would at once have induced an earnest desire of conveying to captain Timins a more conspicuous proof of the sentiments his meritorious conduct inspired; had it not been considered probable, that, under the latitude afforded to you by the resolutions of the meeting, and having before you the official particulars of the engagement, it would have occurred to you, in the appropriation of the sum remitted, to have re-

medied any deficiency, or omission of this nature in the proceedings here. We now beg leave to request that you will present to captain Timins the sum of one thousand guineas, to be laid out in a vase, or such piece of plate as you may think preferable, with a suitable inscription; and that you will transmit it, with a letter of explanation, to captain Timins, in which we shall be thankful if you will express those feelings of esteem and respect of the body we represent, which we now endeavour to convey to you.

We have the honor to be, Gentlemen, your most obedient, humble servants,

(Signed) A ADAMSON,
C FORBES,
W CRAWFORD.

P Hadow, *Secretary to the Bombay Insurance Society, to captain Timins, late Commander of the Royal George, East Indiaman*

London, Dec 19th, 1807.

SIR,—We have very lately received from Bombay the letter, of which the inclosed is a copy, and we feel very great gratification and pleasure in being solicited, by so respectable a community, to convey to you their opinion of your very gallant conduct, and also their particular wish to commemorate their sense of the essential share which you had in the victory gained, by the fleet of Indiamen, over a powerful squadron of French men of war, on the 14th of February, 1804.

We beg leave to say, that every sentiment, stated in the letter from our friends at Bombay, is in perfect coincidence with our opinion of your conduct in that very memorable action, and we have great satisfaction, whenever it

suit your convenience, to communicate with you relative to the plate, to the value of one thousand guineas, which we are directed to present to you, from the insurance society, the ship owners, the merchants, and underwriters of Bombay, whose interests and property you were a principal means of essentially protecting on that occasion.

We have the honor to remain, with sentiments of the highest personal consideration, Sir, your very faithful, and most obedient humble, servants,

(Signed) JOHN FORBES,
P C BRUCE.

To J Forbes, Esq and P C Bruce,
Esq M P
London, Dec 24, 1807

Gentlemen,—I have had the honor to receive your obliging favour, conveying the copy of a letter, which had been addressed to you, from the merchants and committee of the Bombay insurance society. The very flattering approbation expressed of my conduct, by a body so highly respectable, and the munificence with which it is accompanied, claim my sincere and fervent gratitude. Such

distinguished favours are at all times valuable, but never more so, than when they result from the deliberate investigation of an event, that has no longer novelty to recommend it; and the particular merits of which, it might be presumed, would now have ceased to be interesting.

On the occasion alluded to, it was my good fortune to be placed in a prominent situation, wherein I only acted as, I am persuaded, any of my brother commanders would have done, under similar circumstances. It was by the spirited aid, and united efforts of every individual present, on that day, that the attempts of a powerful enemy were successfully defeated.

Allow me, gentlemen, to offer you my respectful thanks for the handsome manner in which you have honored me with this communication, and to assure you, that the value of it is considerably enhanced by the very gratifying testimony of your good opinion.

I have the honor to be, gentlemen, your most obliged, and obedient, humble servant,

J. F. TIMINS.

Occurrences for DECEMBER.

Dec. 14th.—About 5 o'clock on Saturday evening, a fire broke out in Dungere, which for some time wore a very formidable aspect, and threatened the destruction of most of the houses in that very populous part of the Island. On the alarm reaching the fort, the 2d battalion of H. M. 56th regiment, under the immediate command of lieutenant-colonel Keating, marched to the

place. The houses most likely to communicate the flame were immediately demolished: and the fire got under before it spread to any considerable extent. This happy termination, however, was not effected without some accidents, and the casualties, in the 2d battalion of the 56th, amounted to one man killed and thirty-four wounded, some of them severely.

A number of explosions took place during the continuance of the fire, to which most of those accidents are to be attributed, and particularly the loss of the poor fellow just mentioned, who was blown into a tank where he perished.

A detachment of the first battalion of H. M. 56th regiment arrived from Coolabah, notwithstanding the distance, in sufficient time to contribute to the general safety; and a party of the crew of H. M. ship Cornwallis, under the command of captain Montague, was conspicuously useful. Indeed, the personal exertions of colonel Keating, captain Montague, and all the officers who were present, was such as might be expected from the zeal and intrepidity which is so truly characteristic of either service.

The honorable the governor and staff were on the spot from the first notice of the danger, till it had subsided, and the vigilance and activity of Mr. Briscoe, the superintendent of police, prevented much confusion, and contributed as well to protect the property which was saved, as to prevent the extent of the fire.

On the whole we have not heard that there has been any considerable loss of property, nor are there any suspicions entertained of the fire being more than accidental.

Dec 26th.—The following resolutions were lately come to, at a meeting of the merchants, and underwriters of Bombay, and ordered to be presented, by the chairman, to his excellency sir Edward Pellew, commander-in-chief of his Majesty's ships in the Indian seas.

1.—Resolved, that it appears to this meeting of merchants, ship-

owners, and underwriters of Bombay, to be an indispensable act of justice, more especially under existing circumstances, publicly to declare, on the approaching departure of his excellency vice admiral sir Edward Pellew for Europe, the extent of the protection, which the commerce of Bombay has received, since the assumption by his excellency, of the command in chief of his Majesty's ships in the Indian seas.

2.—Resolved, that it appears, from a document framed in the insurance office of Bombay, that the rate of premium from Bombay to China, and from China to Bombay, from the year 1798 to 1803, fluctuated between 12, 10, 9, and 8 per cent. whilst, during the period of sir Edward Pellew's command, from 1805 to 1808 inclusive, it has stood at 8 per cent with a return of 3 per cent if sailing with convoy, and at 5 per cent warranted with convoy; the rate of insurance, has, therefore, been 50 per cent lower on the commerce of the port of Bombay, during sir Edward Pellew's command, than at any former period.

3.—Resolved, that since the arrival of sir Edward Pellew, (a period of only three years) 110 ships have exported and imported to and from China, under convoy during the whole voyage, whilst only 28 have run the passage unprotected, in consequence of their sailing out of the seasons fixed for the regular convoys; at the same time that those which have departed unprotected on the eve of appointed convoys, or have separated in the course of the voyage, have not failed to attract the notice and remonstrance of his Excellency.

4.—Resolved, that the operation of

of the system of convoys has afforded complete security to the trading capital of Bombay, of which the amount insured at this settlement from the 1st of May, 1806, to the 31st of October, 1808, has been five crores and thirty seven lacs of rupees, (5,37,00,000 rs.) or six million seven hundred thousand pounds sterling, (6,700,000l.) that the premium paid by the trade, on that sum, amounts to thirty five lacs sixty one thousand rupees, (35,61,000, rupees) or pounds sterling four hundred and forty five thousand (445,000l.) that the losses, by captures amount to rupees four lacs and ninety - three thousand (4,93,000 rs.) or sixty one thousand pounds sterling, (61,000l.) that the losses, by sea risks, extend to five lacs fifty - two thousand rupees (5,52,000 rs.) or sixty-nine thousand pounds sterling (69,000l.) and that the profits, to the underwriters amount to the sum of twenty-five lacs fifteen thousand rupees (25,15,000 rupees,) or three hundred and fourteen thousand pounds sterling (314,000l.) the losses by captures being under one per cent. on the principal insured, and exceeded by those arising from sea risks, whilst the former have occurred beyond the influence, or have been the consequence of a departure from that regular system of convoy, by which the commerce of the Western division of the Peninsula of India has been so extensively benefitted

5.—Resolved, that the advantage resulting from protection by convoys, which the trade of this port has thus experienced, has originated in that system which was established, and has prevailed, since the succession to the command of his Majesty's ships in India, by

sir Edward Pellew : a system proposed at his express invitation in the letter addressed to his excellency by the three leading firms, in behalf of the merchants of Bombay, on the 12th of February, 1806, and adopted in the reply of his excellency's secretary of the following day

6—Resolved that, at a time when the enemy has sacrificed his maritime reputation, and every feeling of naval ambition, to a degrading system of privateering, in the prosecution of which national ships of superior force and construction are employed for the purpose of committing depredations on our trade, it is indispensable to the successful prosecution of our commercial interests, essential to our national credit, and justly due to the characters of those, to whom the protection of these valuable, and important trusts, is committed, that a steady adherence to that system should be observed of the solid advantages of which, the experience of three years has afforded so decided a proof.

7 ---Resolved that, independently of the ample protection afforded to the commerce of this port, his excellency sir Edward Pellew has manifested a degree of personal anxiety for the security of its trade, characteristic of that zeal, and vigilance, which have ever distinguished his professional career, that the interference of his excellency led to the advertisements issued at his suggestion, by the insurance society of Bombay, in the year 1806, promotive of encouragement to sail and continue under convoy; and subsequently, to the salutary provisions contained in the proclamations published by the governments of Bengal and Bombay in the year 1807, restric-

tive

tive of the practice of ships separating from convoy, and moreover that his excellency's solicitude in this respect, has succeeded in establishing a degree of controul over the shipping of this port hitherto unknown in the Indian Seas

8.—Resolved, that these important facts, as established by the most minute investigation, do eminently entitle his excellency, Sir Edward Pellew, to a more formal declaration of those grateful acknowledgments which he has already received, from a great and decided

majority of the merchants, ship-owners, and underwriters of Bombay.

9—Resolved, that these resolutions be communicated to his excellency Sir Edward Pellew, with a suitable address, and published in the Bombay Courier.

The thanks of the meeting were then unanimously voted to the chairman for his conduct in the chair.

CHARLES FORBES,
Chairman.

PRINCE OF WALES'S ISLAND.

Occurrences for APRIL, 1807.

April 4th Mr. W C Clubleby, appointed deputy-secretary.

Government Orders.

FORT CORNWALLIS, April 10. The whole of the troops at the presidency to parade this afternoon, at half past four o'clock, in front of the Government-house, to attend the remains of the honourable Philip Dundas, late governor, &c &c of this island, to the place of interment, with all military honours due to his high rank and station.

Lieutenant-colonel Basset to command

Three rounds of light cartridges per man, to be served to the 20th regiment, which corps only is to fire over the grave, on account of the narrowness of the ground

Forty-five minute guns, corresponding with the years of age of the deceased, to be held in readiness to be fired during the funeral procession, and to commence by signal from the Government-house.

The Bengal artillery to furnish the carrying party

The garrison colours to be hoisted half mast at sun-rise, and continue until sun-set.

JOHN DRUMMOND,
Town-Major.

April 13. A salute of 19 guns to be fired, on H. S. Pearson, Esq. taking his seat as governor of this island.

Also a salute of 11 guns on W. E Phillips, Esq. taking his seat as a member of council.

By order of the honourable the governor and council.

THOMAS RAFFLES,
Secretary to government.

(A true copy) J. DRUMMOND,
Town-Major.

Duties at Prince of Wales's Island.

IMPORT. Article 1. Five per cent. on the invoice price of all Europe goods, imported on British ships and vessels, not having previously paid government duties at any other British port in India.

2 Two per cent. on the invoice price of all Europe goods, imported on all foreign ships and vessels, with the exception of the Americans who are to pay as British.

4 Three per cent. on the invoice price of all China goods, imported on British ships and vessels, at Malacca and, as an inducement for the Portuguese, Macao ships and vessels, to resort to the port, as necessary to the accommodation of the Chinese inhabitants, Portuguese ships and vessels from Macao, are to pay as British, all other Europeans to export, not herein excepted, are to pay double these duties.

4. To form part of the duties on salt, pepper, ghee, hog's lard, and refined timber, is discontinued, and the following duties on import will be collected at the Custom-house in 1867, from and after the first of May, 1867: on salt, five dollars per catty, on oil, ghee, hog's lard, and tobacco, five per cent. *ad valorem*, notwithstanding that articles may have previously paid export duties in the British settlements to the westward of the mouth of the river Arracan, and shall be liable to pay the same duties though brought from countries to the eastward of the mouth of that river, European foreigners to pay double these duties in both cases.

5 Four per cent. on the invoice price of all other goods and merchandize imported on all British ships and vessels from countries to the westward of the mouth of the river Arracan, not having previously paid export duties at any British settlement, and all foreign-

ers (with the exception of the Americans) are to pay double this duty; opium, grain, money, bullion, gold dust, and precious stones, to be imported duty free.

6 Goods and merchandize imported on British or American ships and vessels, from the Dutch and Spanish possessions, to the eastward of the river Arracan, to pay a duty of four per cent. on the invoice, foreign ships and vessels to pay double.

EXPORTS 7 Two and a half per cent. *ad valorem*, on the prices, as monthly settled by a committee appointed to compile a price current for that purpose, to be collected on all goods and merchandize, of whatever description, exported from Prince of Wales's Island, from and after the first of May, 1867.

N. B. Gold bullion, gold dust, and precious stones, to be exported duty free.

8 Opium, cotton, transhipped in the harbour of Port Cornwallis, or cotton landed and re-shipped on account of the original importer, to pay one half only of the export duty or $1\frac{1}{2}$ per cent. on the gross invoice.

9. All other goods and merchandize transhipped without changing owners, shall in no case be liable to more than two per cent. on the gross invoice.

10. All goods and merchandize changing owners and transhipped within the harbour, are to pay duties as if actually landed and sold on shore.

N. B. These three last articles are applicable to all prizes and recaptures.

Occurrences for JUNE.

June 6th. On Thursday night last, the rooms of Messrs Capes and Carroll were broken open and robbed of property to the amount of about 1500 dollars, every possible search has been made by the police to apprehend the robbers, but without effect.

June 13. Captain Watson, who has lately arrived at the island, states, that Mr Gibson, (late of Bencoolen) the supracargo, sold his opium, and other articles, to the China Shawbunder, with whom he had similar transactions on a former voyage, on a credit of 50 days, that opium and piece goods, to the value of about 35,000 dollars were landed, that the vessel was hauled close in shore between two reefs, and moored head and stern, that a few days previous to the payment becoming due, a man went on board the brig to offer to supply them with stock, and requested an advance of two dollars. Mr Gibson desired he would go on shore, and that he would shortly follow him, as it was near the time he usually drank tea with the China-

man. That as soon as Mr. Gibson landed, and had walked a few paces, he was attacked by two Malays, from whom he received two wounds, on which he fell, and the Malays immediately made off. Mr Gibson, with the little strength he had remaining, reached the Chinaman's compound; he there received nine more wounds, and was then dragged to the beach and left there. The body was afterwards obtained by the intercession of a Bugee Nacodah, whose boat was laying near the Emily.

A Chinaman, whom Mr. Gibson had taken out of Bencoolen prison, where he was confined for debt, and was with him on the former voyage, immediately after the accident, came down and told the boat's crew, who were then pulling off, that he was innocent of the crime, but refused to go on board.

On the following morning, captain Watson observing that the Malays had armed themselves, and were collecting near the vessel, as if they intended an attack, thought it most prudent to put to sea.

Occurrences for OCTOBER.

Oct 17. Yesterday, the hon. Colonel Norman Macalister, in conformity with the orders of the right hon. the governor general in council, took the usual oaths and his seat as governor of this presidency.

A salute of 19 guns was fired on the occasion.

Henry Shepherd Pearson, Esq.

also took the oaths and his seat, as second member of council.

A Chinese passenger, lately arrived from Borneo, reports that the head merchants of the different rajahs of Sambas, Mempava and Pontunova, are now, and have been for some time past, in the habit of firing down brass and silver, for the purpose of making the gold dust,

dust, which they usually barter for articles purchased from European traders. The silver is coloured by boiling it in a certain preparation. This accounts for the great loss, which has been experienced in gold dust sent from the island

Appointments Captain McInnes, to be private secretary to the governor, with the established salary of 120 Spanish dollars per month

Lieut Robert Campbell, to act as aide-de camp to the hon the governor

Mr Robert Ibbetson, to be assistant in the collector's office

Mr Quintin Dick Thompson, to

be paymaster, and commissary of provisions and petty stores

Mr John Macalister, to be assistant collector of customs and land revenues at Malacca.

Mr. William Bennet, to be assistant to the warehouse-keeper

The office of deputy warehouse-keeper, is to be abolished from the first of the ensuing month.

Henry Shepherd Pearson, Esq. to be warehouse-keeper and paymaster.

Mr J C Lawrence, to be acting Malay translator to government.

Occurrences for DECEMBER.

Dec 12. On Wednesday the hon. company's ketch, Margaret, Captain Strant, arrived from Rangoon—Passenger, Captain Henry King.

The accounts received by this vessel from Pegue, are of a very unpleasant nature; not less than three vessels more have been added to the list of captures recently made in the bay

A French brig privateer, Le Bon Aventure, commanded by Mons David, who formerly resided at Rangoon, captured the brig Fancy,

Captain Bennet, on the 13th ult off the bar Mons David immediately fitted out the Fancy as a privateer, and destroyed his own vessel

On the 15th, he fell in with and captured the brig Martha, Capt. King, from this port, and on the 19th, also captured the Strathspey, Capt Grant, but as this ship proved very leaky, he took out the whole of her cargo, consisting of piece goods, &c. and returned her to capt. Grant.

Occurrences for JANUARY.

Jan. 2.—On Tuesday last, the Nancy Grab, captain Earl, anchored in the harbour from China, whence she sailed the 13th ultimo.

Accounts received by the Nancy, state the melancholy loss of the ship Albion, captain James Ro-

bertson, at Whampoa, by fire, on the 5th ultimo

The following particulars respecting this occurrence have been communicated by an eye witness:

On the 3d ultimo, the Albion dropped below the shipping at Whampoa, for the purpose of taking

ing on board a quantity of treasure, on account of her owners and the honourable company, that belonging to the honourable company to be conveyed by her to his Majesty's ship *Modeste*, the honourable captain Elliot, then laying at Chunpee, under whose convoy the *Albion* was to proceed as far as Malacca.

On the morning of the 4th, the treasure left Canton, and captain Robertson shortly after proceeded down the river, with a quantity of money belonging to the owners, but did not reach the ship until about half past six in the evening : going over the gangway, captain Robertson observed to the officer, who, at this time, was employed in receiving the honourable company's treasure, and had then upwards of one and a half million of dollars on board, that there was a strong smell of fire, went below to discern, if possible, from whence it proceeded, and observing the people at work in the main hatchway, inquired whether or not they perceived any smell of fire, to which they replied in the negative. Captain R. then went to the fore hatchway, uncovered it, and removed the hatches, when the flames burst forth with great fury so high as the main stay. He ordered the hatches to be put on again, and used every endeavour to smother the flames, but without effect. By this time the flood had made, and the *Albion* being not more than a quarter of a mile below the shipping, a consultation was held as to the best mode of preventing any detriment to them, when sail was immediately made, the cables cut, and he succeeded in running on shore; she was then scuttled, and every exertion

made for the safety of her valuable cargo. At 3 A M of the fifth, the ebb tide having made, she went on her broad-side; the decks by this time were so much heated as to oblige the people to quit her. During the whole of the night, the engines kept playing on her, and at day light, the people proceeded again on board, and cut away her lower masts, &c. but, at nine, were obliged again to quit her, from the excessive heat which prevailed. Immediately on quitting her, she blew up abaft, owing to a great quantity of Chinese fireworks being stowed in the after-hold, (the powder had been removed on the first alarm of fire being given) the flames now raged with the greatest fury, exhibited a most awful scene, until near four in the afternoon, when she was completely burnt to the water's edge.

It was at one time conjectured that not more than one-half of the company's treasure would be saved, but such was the extraordinary activity of every one on board, assisted by the captains, officers, and crews, of the H C's ships, that the loss, on the third day after the fire commenced, was only about 10,000 dollars, and most of that, it was supposed, would be retrieved.

Such was the fury of the flames, that the treasure between decks was run into masses of from two to ten thousand dollars weight.

There was not any private treasure on board, but the cargo of the *Albion* was valued at three lacs of Spanish dollars.

Happily not any lives were lost on this melancholy occasion.

On Sunday last a fire broke out, about seven o'clock in the evening,

† Q

near

near the reservoir, which entirely consumed several sheds erected for the workmen; fortunately the wind was from the northward: had it blown from the eastward, those noble premises belonging to Mr. P Chiene, would have been in danger.

Occurrences for APRIL.

April 2.—The fire which broke out on Saturday last, at the bake-house of Low Ammee, unfortunately consumed more European property than we recollect to have seen destroyed by fire since the first establishment of this settlement. It was occasioned, as we understand, by the carelessness of some of the people employed in heating the ovens; and from the dryness of the materials of which the premises were composed, in a short time the whole was in flames, which almost immediately communicated to the premises occupied by Mr. Rodyk, the police office, and some Chinese shops at the corner of the street. The whole at one time exhibited the most awful spectacle ever witnessed on this island.

Fortunately the wind was light and southerly; or those valuable

and extensive premises belonging to Mr. Douglas must inevitably have been destroyed, and, probably, communicating with the agent victualler's stores, endangered the whole town, there being, as we learn, near three hundred casks of spirits on the premises.

Too much praise cannot be given to the men from his Majesty's ship Bombay, and the soldiers belonging to the garrison, for their exertions in stopping the progress of the fire.

The damages sustained by the above accident, are estimated at 20,000 Spanish dollars. Fortunately no lives were lost.

Another fire broke out on Sunday morning, near the gaol, which consumed the greater part of two blacksmith's shops, without doing any further damage. [*Penang Gazette.*]

Occurrences for MAY.

May 14.—On Saturday last, the brig *Minerva*, captain J Maxwell, anchored in the harbour from Madras, last from the Nicobars:—passengers, Mr. D Murray, Mr. G. Walker, and Mr. John Salmon.

The brig *Minerva*, sailed from Madras on the 7th February, and experienced nothing but light variable winds, chiefly from the

northward and eastward, until the 9th of March, when the wind began to blow strong from the eastward, with a heavy swell and cloudy weather. On the 18th March, a consultation was held on board by the captain and passengers, whether it would not be better to proceed to the Nicobars for water, that article being nearly expended. On Sunday the 20th,

20th, at six P. M. spoke the Cadar Bux, which left the Nicobars at sunset, on the preceding evening; and from her run under easy sail the whole of the night, could not have been more than thirty-six miles distant; yet, from the strong currents, and the wind hanging so much to the eastward, the *Minerva* did not make the Nicobar islands until the 11th of April, during which time, the whole of the crew and passengers subsisted on biscuit, burnt arrack, and a small tin pot of water for every three persons, happily only one life was lost.

The *Minerva* left the Nicobars on the 21st ultimo, having filled up her water, and taken on board such provisions as could be procured.

May 31.—On Saturday the 28th instant, arrived, in this harbour, his Majesty's ship *Phæton*, having on board the honourable Sir Edmund Stanley, knight, recorder of Prince of Wales's Island, with his Majesty's letters patent establishing a Court of Judicature for the island and its dependencies. Sir Edmund Stanley landed under appropriate salutes from his Majesty's ship *Phæton* and the garrison. On the 30th, a proclamation was issued, summoning all the European and native inhabitants to attend the next day at the Government-house, to hear the patent read, and to witness the establishment of the court, in manner and form as directed. On the 31st, the inhabitants having assembled, the proper oaths were in their presence administered by Sir Edmund Stanley to the governor, and in turn by the governor to Sir Edmund, and the other justices of the court. His Majesty's letters patent, and charter were then recited, and the

court opened and established by proclamation. The governor, recorder, and council, took their seats on the bench. James Carnegie, Esq. was appointed the first sheriff. Sir Edmund Stanley, in an eloquent speech, explained his Majesty's beneficent and paternal intentions in providing for the due and impartial administration of justice, and the laws of England,—civil, criminal, and ecclesiastical, in the rising colony of Prince of Wales's Island, without any distinction between European and native; and expressed his determination to carry into effect his Majesty's benevolent views, by combining the strictest regard for the religious and political peculiarities and customs of the natives, with a strict and vigorous protection of the persons, properties, and rights of all. Sir Edmund signified his determination speedily to hold a Session of Oyer and Terminer, and general gaol delivery, and with that view to issue a precept to the sheriff, to summon a grand jury. Sir Edmund having concluded, the governor, in a short, but animated reply, acknowledged his Majesty's paternal goodness in the establishment of so well constituted a Court of Judicature in Prince of Wales's Island. The following is an extract from the governor's speech:—

“The anxiety of his Majesty that the court should have every assistance, which legal abilities can render it, is fully manifested by the appointment of a gentleman so eminently qualified for the execution of the arduous office of recorder—A gentleman whom we know to have long filled high legal and judicial offices under his Majesty in Ireland, with distin-

guished honour to himself, and advantage to his country; and it is peculiarly gratifying to the members of this government, that by the gracious provisions of his

Majesty's royal charter, they have the honour to be united with such eminent abilities and personal merits."

Occurrences for JUNE.

COURT OF JUDICATURE OF PRINCE OF WALES'S ISLAND, JUNE 27, 1808

Douglas Murray, Plaintiff,
Joseph Burn, Defendant

On Tuesday the 2d June last, a cause of much expectation, came on to be tried before the honourable Sir Edmund Tanley, recorder of this island, and after a full investigation of the merits and many witnesses examined on both sides, the recorder pronounced the judgment of the court, on Monday the 27th June

It was an action of trover and conversion, brought by the plaintiff, a merchant of Madras, against the defendant, late master of the ship General Wellesley, but now resident at Prince of Wales's Island, to recover damages against him, for detaining and converting to his use, a cargo of goods consisting of twenty-one bales of cloth, the plaintiff's property at Sooloo, on the 18th of May, 1806. The plaintiff laid his damage for the loss of his goods and the market of Sooloo, at ten thousand and eighty-two Spanish dollars---and the defendant having been arrested upon a writ, and held to special bail, appeared and pleaded, *not guilty*; and issue having been joined, the material facts, as they were collected from the *parole* and written evidence, were shortly these.

In the month of March, 1806,

the ship General Wellesley, of which the defendant and captain David Dalrymple were part owners, was fitted out at Madras for a trading Malay voyage, a considerable cargo of cloth, and other articles destined for the market of Sooloo and other Eastern markets, were shipped on board that ship, on account of the owners, by Messrs Parry and Lane, of Madras, who had a mortgage on the ship and cargo, that the defendant, Joseph Burn, then acted as master and commander, and in that character gave an order that the plaintiff's goods, which were destined for the Sooloo market, should be received on board, and carried without freight; in consequence of which, plaintiff on the 7th March, 1806, shipped on board the General Wellesley, the cargo in question, consisting of twenty-one bales of cloth, his property, value as per invoice at Madras, 2825 star pagodas---that the ship sailed from Madras for Sooloo in March 1806---plaintiff being a passenger on board; that she arrived in Sooloo roads, on the 18th of May, 1806, upon which the plaintiff demanded his goods from the defendant, offering to pay the freight for them, but the defendant refused to deliver them, alleging, that by the usage of the Malay trade, no part of the cargo of passengers or other persons could be disposed

disposed of at any Malay port or market, until the cargo of the owners was first sold; that upon this refusal, the plaintiff quitted the ship, leaving his goods in it, and embarked on board another ship; ---that the General Wellesley sailed in two months after from Sooloo to Pointiana, with a part of the cargo of the owners unsold;---that she arrived at Pointiana in September, where the defendant was left to dispose of his cargo, that the ship returned to Prince of Wales' island, in October, 1806, under the sole command of captain Dalrymple, (who sometimes acted as joint master) who landed the plaintiff's goods, and lodged them in the stores of Mr. George Seton, for the use of and to be delivered to defendant Buu on his arrival, and that upon defendant's arrival in August, 1807, Mr. Seton offered to deliver them to him, but defendant, by letter 25th August, 1807, directed Mr Seton, to dispose of the cargo of goods (plaintiff's property) to the use of, or to the order of captain Dalrymple, from whom he received them: that accordingly, in March, 1808, capt Dalrymple sold the plaintiff's goods to Messrs Carroll and Scott, auctioneers at Prince of Wales' island, for 4,970 Spanish dollars, which they paid to captain Dalrymple, who applied the money and proceeds of the goods in fitting out the ship for another voyage to the South seas, on which voyage she has proceeded;---that the cargo was re-sold by Messrs. Carroll and Scott in a few days after for 5,474 Spanish dollars; and that those sales were without the knowledge or consent of the plaintiff.

Upon those facts, sir Edmund Stanley delivered his judgment as follows: two general questions

were made for the opinion of the court.

1st.—Whether upon the evidence, the defendant is, in point of fact, or in point of law, at all liable to the plaintiff's action.

2d.— If he is, what the extent or measure of the damages ought to be

Defendant insisted that he was not at all liable upon three grounds.

1st.—That he never had possession of the plaintiff's goods, not having signed a *bill of lading* for them

2d.—That by the *usage* of the Malay trade, he had a right to detain them at Sooloo, and the other Eastern markets, until the owner's cargo was sold.

3d.—That the sale and conversion, or in other words, the tort and wrong, was committed by captain David Dalrymple, and that he only was liable to the plaintiff's action

This defence necessarily involves three considerations.

1st.—How far the defendant has (in point of law) *by his own acts*, rendered himself responsible in this action, which makes it necessary for the court to advert to the principles of the action of trover, and the ingredients necessary to support such an action.

2d.—How far the defendant is, in point of law, responsible *for the acts of captain David Dalrymple*, which involves the consideration of the question, how far one partner, or part owner, or joint master of a ship, is liable for a *tort*, committed by another, in actions brought by third persons for the conversion of their goods.

3d.—How far a bailee of goods, or a *gratuitous depository of such goods*, who has undertaken to carry them without reward, is answerable

able for the loss or embezzlement of those goods.

Sir Edmund Stanley said, that he was most clearly and decidedly of opinion, that the defendant is liable to the plaintiff's action, upon each and every of those grounds.

1st.—That his own acts, independent of Dalrymple's, amount to an actual conversion.

2d.—That he is responsible for the acts of Dalrymple, and that upon principles and authority an action of trover will lie, by a stranger, against one partner, or part owner, or joint master of a ship for a *tort*, or wrong, committed by another in the usual course of their business or dealing, that they, and each of them, are answerable *civilly*, that is, in civil damages, though not *criminally*, for the acts of the other, that the possession of one of the goods of a third person (intrusted to them or their servants) is the possession of both; the unlawful conversion of one is the conversion of both, so as to render both, or either, liable to the actions of third persons for such injurious acts; that they need not both be joined in the action, at least that it could only be pleaded in abatement, and that it is a matter of contribution and adjustment among themselves, how far one of them is to be reimbursed who is mulct in damages for a *tort* committed by another.

3d.—That there is sufficient evidence in this case of gross negligence, and indeed fraud in the defendant, to subject him in the present, or at least in an action of a different form, for the loss of the goods, supposing that neither the acts of the defendant, nor of Dalrymple, amounted strictly to a conversion of them.

In order to support the action of trover, three things are necessary to be proved.

1st.—Property in the plaintiff.

2d.—Possession in the defendant, and a *tortious* conversion by him, of the plaintiff's property to his own use, or to the use of any other.

3d.—The value and amount of the damages.

The ground of the action is the conversion, which may be proved in three ways. 1st. *By an original unlawful taking of goods*—

2d if the goods came to the hands of defendant by delivery, *an actual demand and refusal* ought to be proved, and such refusal is a sufficient evidence of a conversion, unless the defendant could justify the detainment under some lawful process, or for some lien he had on the goods; as a mortgagee or pawnee of goods for the money lent, a common carrier for his hire, an innkeeper for the keeping of an horse, or in consequence of some other legal lien, without the payment or tender of which, an action of trover cannot be maintained.

3d.—By proving *an actual conversion* in defendant by sale or otherwise, as where there is an original wrongful taking of goods, no other proof of conversion is necessary, so where actual conversion is established, neither an actual taking, nor a demand and refusal, are necessary to be proved, now if a *tortious* conversion is established in any of those ways, it matters not to the plaintiff what becomes of the goods afterwards, if they were unlawfully taken from the defendant by another, or if the defendant had been robbed of them by Dalrymple, or any other, he indeed might have his remedy over against such wrong-doer by action

or

or prosecution, but it never could discharge him from his original responsibility; nay, so sacred a regard has the law of England for the security of private property, that it will not suffer any person to intermeddle with that of another with impunity---If a man takes, or uses, or detains any goods, without my consent, and afterwards delivers them to me, an action of trover and conversion will lie; the plaintiff may recover damages for the *detention*, and the re-delivery of the goods will only go in mitigation of damages:---so it has been determined, that if a man takes the horse of another without his consent and rides him, and leaves him at an inn, that is a conversion---so if one man who is intrusted with the goods of another, puts them into the hands of a third person, without, or contrary to orders, that has been held a conversion, and in the case of *Seyde and Hay*, 4th, Durnford and East's reports 260---trover was brought by the owner for certain goods against the captain of a vessel in which they had been shipped, and the only question was, whether there was evidence of a conversion to maintain the action, the goods having been left by the defendant in the hands of a wharfinger for the plaintiff's use, who detained them for a charge of wharfage fees, upon the ground of a *usage*, which appeared to be an unfounded one, and the court of King's-bench were unanimously of opinion, that (though the plaintiff might have had his goods at any time, by sending for them, and paying the wharfage) this was a conversion by the captain. so a conversion by a servant or a partner, provided they act in the usual course of their business, would be a conversion by the master or other

partner, as was the case of the jeweller, whose apprentice took a diamond out of the socket offered in the shop for sale, this was held a conversion in the master; so was the case of a party who left a box of plate at his bankers, in whose house there were several partners, and one of them broke open the box and pawned the plate, the other partners were held liable in trover, and *cwilly* answerable in damages, though each would have been only *criminally* answerable for his own acts.---Now to apply these principles to the present case

As to the property in the plaintiff and possession in the defendant, it has been proved that the cargo of 21 bales of cloth, with the initials of plaintiff's name D M were delivered on board the General Wellesley, of which defendant was master and joint owner, at Madras. Delivery to a servant, whose usual business it is to receive goods is a delivery to the master, (and though no bill of lading was signed, which might make the proof more easy, and is a convenient commercial document for the consignment of goods) yet it does not follow that a party may not prove the delivery of his goods in any other way---As to the conversion by the defendant, *the demand and refusal* is evidence of that, but defendant attempts to justify the detainer under a usage in the Malay trade, that the goods of passengers or others should not be disposed of at any of the Malay ports, until the sales of the owner's cargoes are first completed: now without wishing to dispute the reasonableness of such a *usage*, it may be sufficient to say, that if the plaintiff had, in breach of such usage or agreement, injured the market by underselling (or in any way prejudiced

prejudiced the sales of) the owner's cargo, they might, perhaps have maintained an action of the case against him, but neither the evidence proves, nor could the usage extend in point of law, to authorize the owners or masters to seize or detain the cargoes of passengers or other persons for an indefinite period of time, until they were either able, or willing to dispose of their own cargoes. Such a usage (if it had been proved) would be unreasonable and illegal, and therefore he was clearly of opinion, that the detention of the plaintiff's goods at Sooloo was unjustifiable, and that the defendant's refusal to deliver them is a sufficient evidence of a conversion in him to render him liable in this action, it was not incumbent on the plaintiff to look after his goods further.

But, he said, he would suppose, for argument sake, that the defendant's refusal to deliver the plaintiff's goods at Sooloo was justifiable, and that he was warranted in detaining them there, and at all the other eastern markets, until the sales of the owners cargoes were completed—yet the defendant's subsequent conduct, and the subsequent acts of himself and Dalrymple, in October, 1806, August, 1807, and March, 1808, at this island, render the defendant clearly liable in this action. The plaintiff's goods are carried without his consent in the General Wellesley, by captain Dalrymple, from Poptuna to Prince of Wales's Island, in October, 1806, and lodged by him in the stores of Mr. Seton, for the use of the defendant Burn, in several months after they are offered to defendant, who, by letter, refuses to receive them, and desires Mr. Seton to account for them to the order of captain Dalrymple those

acts, and this letter, I consider to be an actual conversion of the plaintiff's goods by the defendant, and indeed, in both of them, they were both *torts*, and in *torts*, the assessor as well as the actor are principals, and the subsequent sales and receipt of the proceeds by Dalrymple, are, in truth, a conversion by the defendant—there is also another ground upon which the defendant would be responsible, supposing no act of conversion proved against him, and that is *gross negligence*, by which the plaintiff has lost his goods, the proceeds of which are now embarked by Dalrymple, without plaintiff's consent, in a speculation to the South Seas. Defendant having undertaken to carry them through *without a reward*, the law imposed upon him a responsibility and charge. a common carrier on the land or on the seas for *hire*, is answerable for all accidents and losses which may happen to the goods, except from the act of God, or the king's enemies—they are in fact *insurers*, even robbery, or piracy, would not excuse them; and the law is so strict to prevent collusion and fraud, that the master may not contrive to be robbed on purpose and share the spoils.—Proprietors of waggons, and owners and masters of ships, are common carriers within this description, and the 7th Geo. II Chap 15th and the 26th of Geo III Chap 86, which exempts owners of ships from liability in cases of embezzlement, robbery, or dishonesty of the master or mariners, or others, beyond the amount of the value of the ship and freight, and exempts them from losses occasioned by fire, or by robbery of gold, money or jewels, without a specification in writing of them, proves their general liability in all other

other cases—indeed when goods are taken on board of ship to carry *without freight or reward* (which is this case) it is called a naked bailment, the owners or master are only liable for any gross neglect by which the goods are lost or embezzled, and they are bound only to take the same care of them that they would of their own goods—Now defendant's own conduct with respect to plaintiff's goods, which were put on board his ship and in his care at Madras, in March 1806, in having suffered them to be brought in his ship from Sooloo to Prince of Wales's Island, without plaintiff's consent; and his afterwards having, when he found them here in August 1807, in Mr Seton's stores, refused to receive them, and preserve them for the plaintiff's use, as it was his duty to do, were sufficient acts of negligence and breach of trust on his part, to render him liable for the loss of the goods, even supposing no other acts done by him; indeed, there was so many grounds upon which the defendant was liable, that he was only at a loss to know which was the strongest to rest upon—The variety of defences which the defendant has made, and the different characters he wishes to assume, would place the plaintiff in rather a whimsical predicament, and furnished an instance of eastern ingenuity, such as he had not met with—Says the defendant I am not liable to your action, because, though I took or detained your goods, I did not sell them, neither am I responsible, says captain Dalrymple, because though I sold your goods, I did not take them—and with more colour of justice, Messrs. Carrol and Scott would say, we are not subject to your claim, because we bought your goods in market overt, and neither took nor sold them—so the upshot

of the argument is, that the plaintiff has redress against nobody, which is repugnant to the principles of the British law, which says, there can exist no right or wrong for which the law will not furnish an adequate remedy.

It would be a discredit to the justice of the court and of this island, if the sort of games, which have been attempted to be played in this case, could be practised with success, or if the arm of the court was not long enough to reach frauds of this sort—He would not turn the plaintiff round to go to look after captain Dalrymple in the South Seas, but would fix the defendant with the damages which the plaintiff has sustained, and leave him to seek redress against Dalrymple, or others, as well as he could. He had also gone more at large into the law, than he would have thought it necessary to do, if it had not been the first case of consequence which had been brought before the court, since its establishment; and he wished (as far as his humble talents would allow him) that the British law should be fully explained and well understood by the inhabitants of this island, whenever cases occurred which required an explanation of it; because he was sure the more it was examined and understood, the more its wisdom and equity would be admired and revered, and the more they would have reason to feel a deep sense of gratitude to his Majesty for the gracious charter of justice which he had been pleased to grant, and which has rescued this Island from the state of confusion in which it had so long been involved, and the removal of which, he trusted, would raise its credit and respectability in all the ports of the civilized and commercial world.

With respect to the damages, the plaintiff

plaintiff has certainly failed to prove that part of his case which relates to the injuries he alleged to have sustained *by the loss of the market of Sooloo*, and negative evidence has been given by the defendant, that the whole of that voyage turned out a bad speculation, as a considerable quantity of the owner's cargo was brought back unsold, owing to the markets that year being overstocked. ---nor has plaintiff given evidence of any other special damages.---But he was of opinion, the plaintiff in this case had a right to recover, not merely the amount of the proceeds of the sale to Messrs Carroll and Scott, but the full value of his goods, and in estimating that value he should adopt the principle which was laid down by Lord Chief Justice Pratt, in the case of *Amerie v. Delamire*,

in Strange's Reports, in the case of the jewel which was detained from the possessor of it, and which, as it was not produced by the defendant, he directed the jury to presume was of the very highest value of any jewel that would fit the socket. The only standard he had to go by was the amount of the re-sale of the plaintiff's goods by Carroll and Scott, and therefore a verdict must be entered for the plaintiff for 5474 Spanish dollars with costs, and he should not allow the defendant any freight for the carriage of the goods, not only because it was agreed that none should be paid, but because, in his opinion, the defendant had, by the misapplication and the embezzlement of them, forfeited any claim he could have had upon that ground."

Occurrences for SEPTEMBER.

The ship Swallow, captain S. Stewart, from Pedier, with beetle-nut, arrived on Tuesday last. The Swallow had run, from the north end of this island, to Diamond Point, in eleven hours.

On Tuesday last, the ship Ganges, mentioned in our last, as having been captured by the Courier French privateer, was brought into this harbour, prize to H. M. ship Ceylon:---The Ganges was taken by the boats of the Ceylon, after a chase of three days.

A privateer, supposed to be the Courier, lately fell in with the brig Amelia, commanded by a Nacodah, off Acheen: but finding she had only rice and paddy on board did not detain her:---the Amelia arrived yesterday.

The brig Farewell, Mr. Robert

Sharpe, prizemaster, arrived likewise, on Tuesday

The Farewell was taken by the Farquhar, Captain Frazer Sinclair, on the coast of Java, whence she was dispatched on the 9th ult.

The Farquhar is said to have taken, during her present cruize, eight prizes, four of which had been sent off, with orders to remain at this island, until the arrival of that vessel.

The big Duchess of York, Capt Forrest, having sold her cargo of sandal-wood at this place, sailed for Bengal direct on Saturday.

Sept. 10. The price of pearls has of late considerably decreased, owing to the great supply lately imported; those, however, of about the size of a marrow-fat pea, are much in demand, and have been very eagerly looked for.

Court

Court of Judicature

On Monday last, the 5th instant, the First Session of Oyer and Terminer, and General Gaol Delivery, for this Island, and its dependencies, was opened at the Court House, in George Town, before the honourable Sir Edmund Stanley, knight recorder, and his associates, the members of Government;---when the precepts having been returned by the high sheriff, the following gentlemen were sworn on the grand jury; viz

J. P. Hodson, Esq	D. Brown,
Foreman.	J A S Wilhams,
Q. D Thompson,	Thomas McGee,
George Seton,	Patrick Carnegie,
T Halyburton,	John Baird,
D Forbes,	J. Dunbar,
D. McCulloch,	Patrick Chiene,
J Scott,	N. Baron, Esqrs.

Sir Edmund Stanley then delivered his charge to the grand jury, to the following effect -

Gentlemen of the Grand Jury.

If ancient usage and the long established form of judicial practice, have sanctioned the propriety and wisdom of judges addressing the grand juries by a charge upon the various articles of their enquiry, the exercise of such a duty is more particularly called for, and rendered more indispensably necessary, upon the opening of this session of Oyer and Terminer and General Gaol Delivery---when we are now, for the first time, assembled, under his Majesty's gracious charter, in order to carry into execution, and reduce into practice, the noblest as well as the most effectual system of criminal jurisprudence that ever yet was devised by the wisdom of man, for securing to the public the blessings and advantages of civil society, for the punishment of the guilty and dissolute, and the protection of the innocent and industrious part of the community. More imperiously do

I feel that duty demanded of me, by the calendar which I hold in my hand; which, I am sorry to say, exhibits the most distressing and melancholy picture of human delinquency and moral depravity, that, I believe, ever yet was presented to any judge, or produced in any court; a calendar, stained with blood, and marked with murder in every line of it, and which, in truth, comprizes within itself, almost every crime that can be committed against public order, or against the persons, habitations, and properties, of his Majesty's subjects. I do declare, that it has often fallen to my lot to be placed in situations that were thought by myself, and by others, to be arduous and difficult, but it has, at length, been reserved to me to preside in one which calls more loud than any other that I ever yet experienced, for the employment of all the powers of the human mind, and the exertion of all the intellectual faculties of the human soul, destitute of all legal assistance as I am. To reform this disordered and distracted state of society, to vindicate the insulted authority of the laws, to stop that system of murder, rapine, and depredation, which is now carried on with as much facility, and with as little interruption, as if it were a part of the daily traffic of the island; and which, if not checked by some wise and salutary measures, (not of cruel or sanguinary extirpation) but by a due, temperate, and vigorous execution of the law; by an active, lively, energetic, and vigilant system of police, calculated to prevent and obstruct the progress of crimes; by establishing a well-ordered nightly watch and ward, under the statute of Winchester, to guard the habitations and properties of the peaceable inhabitants; by providing proper places for

for the real correction and punishment, as well as for the reformation, of offenders; and lastly, by a general and cordial co-operation of all orders and degrees of the state, to improve the morals, and amend the vices of the lower classes of the people, whom it is our lot to govern, and who, I lament to say, are, from a combination of causes, inherent in the original formation of the settlement, and almost inseparable from the nature of its mixed population, and the singular state in which this government has been placed for the last twenty years, vicious and depraved in the extreme. I say, if a stop is not put to this career of iniquity, and if the evils which now afflict society are not checked, by some or all of those measures, they seem to me to threaten the dissolution of all the bonds of social order, and the annihilation of every thing that is most valuable and most sacred in a state.

You, gentlemen, in your collective capacity, form a most important branch of that wise system—the grand inquest of the island,—an institution upon which the British nation have always most valued themselves; the antiquity of which may be traced to the earliest ages of the Saxon monarchy,—and the practical excellence of which as the best instrument to bring the guilty to condign punishment, as well as to shield the innocent from unjust accusation, has been proved by such long experience, and is so universally felt and acknowledged, not only in England, but in those insular provinces in the West Indies, and in all the distant settlements of the world, which have the happiness to be governed by British laws, that no time, no change of government, or revolution, no presumed inconvenience or trouble, that might

be occasioned to individuals, could ever prevail to extinguish or abolish it. I am happy, therefore, to observe that the high sheriff has, upon this occasion, returned gentlemen who, from their local knowledge and long residence, seem the most competent to exercise this important function; who will never be prevailed upon, by any human consideration, to accuse the innocent, or to conceal the guilty—men, into whose bosoms the mean or ignoble passions of malice or dislike, partiality or hatred, will never be allowed to enter; but who will consider themselves, as they are, selected into that box, from the mass of their fellow citizens, and consecrated, as it were, to the great purposes of public justice.

Gentlemen, it was with a view of accomplishing those great and valuable objects, of promoting the commerce and population of the island, by a strict and equal distribution of justice;—of giving confidence to the inhabitants, and security to the enjoyment of their persons, possessions, and acquisitions; as well as for the punishment of offences, and the repression of vice within the island, that his Majesty, at the instance and desire of that most honourable and respectable body, to whom the government of the British territories in India is committed, (and to whom, on that account, great gratitude is due by the inhabitants of this island) has sent out his gracious charter,—the most liberal in its principles, the most effectual in its jurisdiction, and armed with powers the most extensive and summary, for the administration of civil and criminal justice, that the wisdom of man could devise; calculated to meet every exigency, to adapt and accommodate itself to all the local circumstances of the island, and

and to provide for every emergency that the place itself, or the state and condition of its inhabitants, might require, for which purpose it makes the wise and benevolent system of British law, in a qualified and restricted manner, the rule of justice within the island, for the various and numerous descriptions of inhabitants, who have settled here under the British government, blended with a proper and due attention to the local customs, religious prejudices and manners, of the natives of the country. It is now too late, and unnecessary, to enter into the question, whether the body of British subjects who originally settled and formed themselves into a state of civil society under a British government, in this then uninhabited and uncultivated island, which was obtained by cession from a native prince, (and where no previous law existed) did or did not carry with them so much of the British law as was necessary to protect the inhabitants against personal injuries, and to enforce the moral duties of man; for the effect of the present charter is, that it communicates the civil and criminal law of England, qualified, as I have stated, to this island, down to the date of this charter, as it then stood, but no British statute passed since that period can be received in, or will extend to, this island, unless it is expressly named, or included under a general description, and the British law so received, is to be understood under another restriction, that so much of it only is communicated to this island, as is necessary and convenient to its own local situation, and the condition of an infant colony. Much of it, certainly, would be inapplicable, what shall be admitted, and what rejected, at what

times, and under what restrictions, must, in case of dispute, be decided, in the first instance, by our own judicature, subject to the revision and controul of the King in council, the whole of the constitution being at all times liable to be new-modelled by the superintending power of the legislature of the parent country.

For the purpose of administering this law in criminal cases, which may affect the life of man,---it has provided this high court of criminal jurisdiction, and has adopted the principle of the great charter of British freedom, that no subject of his Majesty, whether British or native, shall be punished capitally, or transported for any crime without being brought to answer by due course of law; that he shall not be brought to trial until a grand jury shall first, upon their oaths, present him as a fit object for public prosecution; neither shall he be put to death or exiled, until a petty jury shall, after a full examination of the charge, find him, upon their oaths, to be a fit subject for public punishment.

In arbitrary states, where the life of man is of little value, this would be considered as a very troublesome provision; there, a man is dispatched, chained, tortured or banished, at the arbitrary and capricious will of the prince, or the minister, by an instant declaration that such is his will and pleasure. All rules of evidence are laid aside as inconvenient; the accused never sees his judges, or hears the witnesses; and death to him is a relief from a more wretched existence, but such is not the spirit and temper of British judicature; all our accusations are public, and our trials in the face of the world; with us, torture is unknown, and the

the accused has a right to cross-examine the witnesses produced against him, as well as to contradict their evidence, by opposite testimony; and in the end, his fate is decided by a jury of his fellow citizens, against whom he can form no exception or even personal dislike---subject to the superintendence of a judge, who is bound to be so far of council with the prisoner, as to see that the proceedings against him, are legal and regular.---The present charter has also, in order to meet the local circumstances of the island, and the state of its inhabitants, provided a summary court of session, without the intervention of a jury, to sit as often as the exigencies of the island may require, to try and punish all inferior misdemeanors against the public peace, police and good order, in a most expeditious and effectual manner.---A jurisdiction which, indeed, was absolutely necessary for this island, as from an examination of such records as I have been able to find, I am sorry to see that the number of offences committed within it exceeds beyond all proportion the measure of human guilt in any other, or in all the other settlements in India, or I believe in any other colony of the same extent and population in the known world. I observe, by my calendar, that there are twenty seven murders upon it, seven of which are charged to have been committed within the last year; and (besides many small inferior offences) no less than nineteen thefts and felonies within the compass of the last five weeks.---No doubt, this disordered state of society may be in some measure accounted for, by causes which have produced effects nearly the same in all new colonies and plantations composed of similar mate-

rials, before the manners of the lower classes were softened and humanized by habits of industry, social intercourse, and friendly commerce---before regular courts were established to administer the laws, or magistrates to carry them into execution, and really, instead of being discouraged at such a state of things, I cannot but express my surprize, that an island which was a desolate wilderness twenty years ago, and in the recollection of so many that hear me, should, notwithstanding all these disadvantages, now exhibit such considerable marks of improvement, in cultivation and population, should have become an important marine port and station for the refreshment and supply of the British navy, for facilitating the trade between England and China, and, perhaps, may be made an important depot for building shipping, but, at all events, by its central situation, is likely to become the great mart and emporium between Eastern and Western India, for the sale and exchange of both European and Indian produce and manufactures. I confess, when I reflect upon the past, and contemplate the rising prospects of this island, and the great advantages it has received by the present charter, I have the most sanguine hopes, that the general affairs and situation of the island, will soon wear a more promising aspect, and that the dawn of future prosperity will soon become visible.

Gentlemen, the end of criminal law, a most important branch of this judicial system, is to prevent crimes by punishment, that the pain of it, as the sublime Roman orator expresses himself, *may be felt by a few, and the dread of it may be extended to all*; and in general, I agree with those who think, that

that punishment of unreasonable severity, especially when indiscriminately inflicted, have less effect in preventing crimes, and amending the manners of a people, than such as are more merciful and moderate in general; and that crimes are more effectually prevented by the certainty, than by the severity of punishment. Yet, I shudder to think, that the state of society here is so depraved, at least with respect to one branch of its population; (for, as to the Chinese inhabitants, my observations do not apply to them, they seem to be most industrious and useful subjects;) but as to those who have emigrated here from countries ferocious and uncivilized, I fear that the doctrine to which I have alluded, would, as applied to them in general, be rather the language of benevolent speculation, than of attentive observation or experience; for so long as a body of men exist in a state, without fearing a supreme being, dread the law, and, without feeling any horror of crime, tremble at the idea of punishment, so long it is necessary that great and enormous crimes, strictly proved, should be certainly and severely punished; not by way of vindictive atonement or expiation for the crime itself, but as a precaution against future offences of the same kind, and by setting a dreadful example to deter others, and, in truth, when crimes of deep malignity, such as murder, are so frequent, and have passed so long with impunity, general mercy and indemnity to the guilty would become an act of cruelty to the public, although, in most cases of guilt, I think, that well arranged houses of correction, and penitentiary establishments, are more effectual to produce reformation among the lower class

of mankind, than capital punishments

Having said so much upon the general objects of the charter, and the principles of criminal justice, as I presume it may not have fallen to the lot of many of you, gentlemen, to have acted in your present capacities, you may require some guide to lead you in this untrodden path, some rules to direct you in the exercise of this unusual duty.—I shall now, therefore, endeavour to explain to you very shortly, what ought to be the demeanour of the grand inquest, in relation to their presentments; or, in other words, the office and duty of grand jurors, the mode in which they are to conduct their enquiries and exercise their powers; and, secondly, I shall point your attention to the various classes of prisoners upon the calendar; and shall explain the law, as it arises upon each of the offences contained within it, in order to assist your judgment, in finding or rejecting the bills which will be brought before you. The first step towards the punishment of offenders is their formal accusation by a grand jury; for which purpose the high sheriff, by virtue of a precept directed to him, returns twenty-four of the principal inhabitants to the court of gaol delivery, selected from each district, and who, from their local knowledge and observation, are supposed to be acquainted with every thing that is passing in it, and that no crime can escape their notice, and therefore in some of the old books, they are called *Inquirors*; in modern ones, the *Solemn Grand Inquest*; and they, on the part of the crown, are to enquire of, and present, all offences.

offences happening within their jurisdiction.

The great qualities necessary for the grand inquest are attention and diligence to enquire after truth, sagacity and discretion to discover it, and integrity and firmness to present it. This power of inquiry and accusation may be exercised in two ways - first, by indictment, which is a written technical accusation against a person, of any crime preferred to and presented upon oath by a grand jury, and which is framed by the officer of the court, and laid before them, together with evidence on the part of the crown - secondly, by a *presentment*, which is a more comprehensive term, and is an accusation founded upon the notice taken by a grand jury, of any offence, from their knowledge, without any bill of indictment laid before them at the suit of the king; upon which the officers of the court must afterwards frame an indictment before the party presented can be put to answer it - so that a grand jury may present, either upon evidence, or upon their own knowledge, which the law esteems as authentic a ground for a prosecution, as an accusation founded upon the testimony of others; and it presumes, that, in one way or the other, all offenders will be brought to trial, and that no innocent man will be forced to submit to the disgrace and expense of a public prosecution: - For the greater regularity of your proceedings, your foreman presides, reads all bills, puts the question whether they shall pass or not, which is to be decided by the majority, and he certifies the bill either found or ignored, if, by ill health, or other accident, your foreman should at any time be

absent, the next in seniority takes his place, or the grand jury may elect a new one.

The leading features of your duty are emphatically pointed out to you in the great constitutional oath, which you have just now taken, by that you learn, that diligence in your inquiries, secrecy in your councils, and justice and impartiality in your presentments, are the sacred obligations imposed upon you. The diligence required of you is, that degree of industry to search after truth, and to investigate crimes, which every man who enjoys the protection of government, and the advantages of the due administration of justice, is bound by his duty, and engaged by his interest, to bestow, upon matters in which the interests of society are so deeply involved: - and here it may be proper for me to inform you, that your jurisdiction extends to inquire of all public wrongs or crimes, but not of civil injuries to individuals, or matters of dispute about property, or private rights, which do not concern the public peace, such private contests are to be determined by another form, but the charter and the law authorizes you to inquire and present all treasons, murders, and other felonies and offences *heretofore* committed, or which may hereafter be committed during this session, and there is no doubt, that all crimes of a public nature, all disturbances of the peace, oppressions and other misdemeanours of notoriously evil example, as well as all attempts to commit crimes, though not actually perpetrated, are indictable at the suit of the king. Your jurisdiction at the present session is confined to offences committed within the island, and

and the territory thereunto belonging, and, in general, you cannot inquire of any fact done out of that jurisdiction, unless enabled to do so by the king's charter or commission, or by act of parliament. *Secrecy* with respect to the king's council, your own and your fellow juror's, is particularly enjoined by your oath, and commanded by the law, as of the greatest consequence to public justice, as the disclosing the evidence and proceedings before a grand jury may give great offenders an opportunity of escaping, or of defeating public justice, counteracting the evidence for the crown, by subornation of perjury, and it is certain, that a grand juror who does so, is guilty of a misprision, and liable to be fined and imprisoned;--and he should neither disclose his own acts or opinions, or those of his fellows who may have dissented from him, which is not only dangerous to the public, but illiberal towards the individual, as it may expose him to the malice and ill-will of the parties.

I must inform you, that it is your duty to inquire only, and not to try; and therefore, you are to hear evidence only on the part of the prosecution, and by no means to hear any on the part of the accused. It was formerly a matter of some dispute among great and learned men, what degree of evidence is sufficient to warrant a grand jury to find a bill, but it is now settled by great authority, that as an indictment is merely an accusation, and the party is afterwards to undergo a full trial, they ought upon *probable evidence* only to find a bill; but it ought not to be a *remote* probability; but that degree of it, which approaches the confines of certainty.---It can-

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not be expected, that the grand jury, who hear evidence only on one side, should have the same persuasion of the guilt of the party as the petty jury, or coroner's inquest, who hear the evidence on both sides: and therefore I think it is a good rule to go by, in finding a bill, that the evidence should be so strong on the part of the crown, as (supposing it contradicted by witnesses before the petty jury) would be sufficient to convict. It is not necessary that the evidence should be positive; strong presumption, and circumstances which necessarily and usually attend the fact, will be sufficient, as, if a man be found suddenly dead in a room, and another is seen running out in haste with a bloody sword, this is a violent presumption that he is the murderer, for the blood, the weapon, and the hasty flight, are all the necessary concomitants of such horrid facts; and in foul and secret cases, no other evidence is possible to be obtained, so the finding of goods, proved to be stolen, upon a party, recently after the fact of felony, is evidence, accompanied with other suspicious conduct of the party, that he was the person who stole them, unless he is able to account for the possession; but if the grand inquest, upon their own knowledge of the incredibility of the witnesses, are dissatisfied, they should reject the bill.

In general, it is recommended by great lawyers, that if a bill be presented for murder, and it is clear that the prisoner committed the homicide, but circumstances may appear to them to extenuate the offence; that they ought to find the bill for the greater offence, as murder, and not for

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manslaughter, or any lesser species; otherwise great crimes may be smothered, and when the party comes upon his trial, the whole fact will be examined by the court and jury, and he will have the advantage of the law, if entitled to it, and a minor one, if the contrary practice would be a disadvantage to the accused, for, if the grand juror ignore the bill, whereby the prisoner is dismissed, yet he may be indicted again for the murder many years after, when, perhaps, all his witnesses may be dead; whereas, if they had found the bill for murder and left it to the court, whose province it is to determine the fact, and direct the jury to find it manslaughter, or to acquit the party, he might plead that conviction or acquittal in bar to any further indictment for the same fact. It is right for me to observe to you, that, except in high treason, there is no limit of time to the prosecution of offences in all seasons, except such as may affect the sacred person of the king or a defendant must be found within three years after the offence committed; but an indictment for murder, or any other offence, may be found at any distance of time after the fact, indeed, when offenders fly from justice, that is reasonable; but when they are in prison, they ought to be brought to trial as recently after the fact as possible; otherwise the punishment loses much of its effect, and it may in many cases be a great hardship upon the accused, however, if there is sufficient evidence to warrant the jury to find the bill, in general they should do so, leaving such circumstances to

the future consideration of the court.

With respect to the various offences, and the different classes of prisoners appearing upon the calendar, as it would be impossible, in private charge, to go through the whole code of crimes and misdemeanours, and the punishments annexed to each, cognizable by the laws of England, I shall therefore content myself in the present, with taking notice of such as must become the subjects of your inquiry — and first, with respect to the crime of homicide, which is so famous among a certain portion of the lower classes on this island, this offence, by the law of England, is of various kinds; it is either justifiable, excusable, or felonious, of which the most atrocious is the crime of wilful murder, which, I believe, is punished literally, in every civilized nation on the earth, with death. In some barbarous and savage nations, this crime may perhaps be considered rather as a private injury, to be avenged by private retaliation, than as a crime against the public, but the law of God, and the voice of nature, unite in proclaiming, “that whosoever sheddeth a man’s blood, by man shall his blood be shed, and that the land must continue polluted, till cleared by the blood of those who shed it.” The right of punishing murder, and the like crimes against the law of nature, was in a state of mere nature, vested in every individual, whereof the first murderer, Cain, was so sensible, that we find him declaring his apprehensions, that whoever would meet him, would put him to death. In a state of socie-

ty, this right is transferred from individuals, to the sovereign power, whereby men are prevented from becoming judges in their own causes, which is one of the evils civil government was intended to remedy; whatever power, therefore, individuals had of punishing such offences against the law of nature, is now vested in the supreme magistrate, and upon this principle it is, that many persons who are not subject to the municipal law of England, and are not punishable for any other crime, as foreign ambassadors and their suite, are yet liable to be tried and put to death for the crime of murder, as an offence, not against the particular law of England, but against the law of nature, and the universal law of all civilized societies, of which several instances are mentioned by my lord Hale.

Murder, by our law, is defined to be the killing another, of any country or religion, whether native or foreigner, under the king's peace, with malice prepense, either express or implied, but many persons have fallen into a fatal error, as to the import of the term *malice aforethought*, which certainly is an essential ingredient to constitute murder, and some have fallen into a great mistake, as to what shall be said to be a provocation, which, in point of law, is sufficient to extenuate or alleviate a killing, from murder to manslaughter, to which two points I shall now direct your attention. When the law makes use of the word *malice*, as descriptive of the crime of murder, it is not to be understood according to the vulgar conception of the word — "A malevolence, or rancour of mind, lodged in the person killing, for some considerable time before the commission of the

"fact, the law by the term malice means, that the fact hath been attended with such circumstances as shew a wicked and malignant heart, and it is not so properly spite, or malevolence, to the deceased in particular, as any evil design in general, and therefore, if a man kills another suddenly, without any, or without a considerable provocation, the law will imply malice, so if a person kills another, in consequence of such a wilful act, shows him to be an enemy to all mankind in general, as discharging a loaded gun among a multitude of people, or if a man resolves to kill the next man he meets, and does kill him, it is murder, though he know him not, for such a man is called *hostis humani generis*."

Now, as to what shall be a sufficient provocation, or under what circumstances heat of blood will avail, to extenuate a killing from murder to manslaughter? It is certain that no words of reproach or intamy, how grievous soever they may be, are a provocation sufficient to free the party who kills another with a deadly weapon, or in such a way as shews an intention to kill, or do some great bodily harm, from the guilt of murder; nor are indecent, provoking actions, or gestures expressive of contempt or reproach, and homicide, upon such provocation, has been always ruled to be murder, so, if a man, upon a trespass done to his land or goods, kills the person with a mortal or deadly weapon, or beats him in a cruel and unusual manner, it would be murder, and some judges have held, that even a slight blow would not excuse the party who kills another, in a brutal and cruel manner,

manner, and with a mortal weapon, but it may be laid down as a general rule, that in every case of homicide, upon provocation, however great soever it may be, if there is sufficient cooling time for passion to subside, and reason to interpose, such homicide will be murder, and therefore, if a man kills an adulterer, deliberately and upon revenge, *after the fact*, and sufficient cooling time, or upon idea of jealousy, it is undoubtedly murder, though, if he had found the party in the act, it would be no more than manslaughter, and in this the law of all countries agrees with our own: and in all possible cases, deliberate homicide, upon a principle of revenge, is murder. No man who is under the protection of the law, is to be the avenger of his own wrongs. If they are of such a nature, for which the laws of society can give him redress, thither he ought to resort; but, be they of what nature soever, vengeance belongs not to man.

Here it may be proper that I should observe to you, that, in cases of murder, the law admits evidence of the declaration of the deceased, after the mortal wound, given against the offender, but it must appear, that the party making them was then sensible of approaching dissolution, or in such a state that he must have felt the hand of death. The law considers a declaration made by a person in that state, when all hopes of this world are gone, and no human temptation could be supposed to induce the party to tell a falsehood, as equal in solemnity to an oath; so the examination of a prisoner, on the informations of witnesses before a coroner or magistrate, are in case of the death of the wit-

nesses, and, in some other cases, evidence, provided that it is according to the provisions of the statutes of the 1st and 2d, and 2d and 3d of Philip and Mary, c. 10. Murder is death by the law of England, both in the principals and accessories before the fact.

Burglary is also a very high offence by the English law, being an invasion of that right of habitation which every man might acquire in a state of nature, and on that account, and by reason of the terror which it causes to the owner and his family, is punishable by our law with death. A burglar is he that by night breaketh and entereth a mansion house, with intent to commit a felony, and it is of two kinds,---1st, simple,---2d, compound burglary. In order to complete the crime, four things are necessary,---1st, that it should be committed by night,---2dly, it must be in a dwelling-house, for no distant out-house or ware-house, unless it be a parcel of the mansion-house, or connected with it by a common fence, is entitled to the same privilege,---3dly, there must be a *breaking and entry*; but both need not be done at once; for if a hole be broken in a house one night, and the breakers enter the next night through the same, they are burglars. Opening a window, picking a lock, lifting the latch of a door, or unloosening any other fastening, which the owner has provided, is a breaking, in point of law, and if a servant, who lives in the house, conspires with a robber and lets him in at night, this is a burglary in both; the least entry with any part of the body, or with an instrument held in the hand, to draw out goods, or a pistol, to demand money, are all burglarious entries; and if one of a party

party enters, and the rest keep watch at convenient distances, they are all equally guilty; but the entry must be with intent to commit a felony, and if so, it is burglary, whether the thing be done or not, and if a person makes a hole in the wall of a house, or breaks a house in any other manner, and sends a child (not of years of discretion) to enter therein, and commit a felony, which is accordingly done, and the person sending the child stays away to avoid detection, yet he, though absent, is the principal, and as guilty as if he himself had entered, for such a child is not capable of crime.

The next offence on the calendar is the offence of larceny, or theft, which, when the goods stolen are above the value of one shilling, is grand larceny, when of goods of that value, or under, it is called petty larceny; simple grand larceny, though excused the pains of death for the first offence, is punishable with transportation or imprisonment, and being sent to hard labour in the house of correction, or on the public works; petty larceny is punished by imprisonment and whipping, and being sent to the house of correction; and in some cases by transportation for seven years. The ingredients necessary to constitute larceny are three ---there must be, 1st, a taking, 2d, a carrying away, and, 3d, a felonious intent to steal; the latter is of the essence of the crime, and is evidenced by a variety of circumstances, demonstrating a guilty mind, if the goods were taken clandestinely, or the party denies the fact afterwards, or flies, or gives false and contradictory accounts of the act; obtaining goods by delivery of the owner, by such fraudulent pretences as shew an

original intention to steal, or a servant converting his master's goods, committed to his charge, would be felonious larcenies; but if a man takes goods as a trespasser, or under a claim of right, ---as, where a landlord distrains goods for rent when none is due; or a party takes goods, in such a manner as shews that he intended only to commit a civil injury, and not to steal, such acts do not amount to felonious larcenies, though they are a ground for an action.

The offence of robbery from the person, is an aggravated species of larceny, punishable by the law of England with death, on account of the violation of the personal security; for which reason, in order to constitute this offence, there must be a previous violence, or forceable taking of property from the person, by previous putting in fear, but it is sufficient if it appears to have been attended with such circumstances of violence or terror, which, in common experience, are likely to induce a man to part with his property against his consent, for the safety of his person, but it is immaterial what the value of the thing taken is, provided it is taken forcibly from the person. I observe, by the calendar, that a robbery was committed three days ago, by a band of ruffians on the opposite shore, where, I understand, no person can venture at present, without the hazard, or certainty, of being assassinated or plundered, and therefore, it is incumbent on the police, to establish proper watches and guards on that station, as well as in every part of the island, to prevent the commission of those outrageous offences, otherwise, the crimes will become so numerous, that this court can attend to nothing else, but

but criminal trials; and the civil business of the island, which is very 'heavy,' must be neglected, or postponed.

We find the learned chief justice of Calicut lately re-gratifying his grand jury, upon the orderly state of that great capital, where, in a town, in which the population is near one thousand, and composed of persons differing in customs, manners, and country, there were but two crimes on the calendar! after an interval of six months; which the learned chief justice imputes principally to the exertion of the magistrates, and the admirable system of police established by government for that capital: and therefore, it would be well to follow that useful example, and by activity, exertion, and vigilance, to throw such embarrassments and difficulties in the way of public plunderers, as will prevent the commission of crimes, and shew them, that they cannot carry on their depredations, without the greatest hazard, or certainty of detection; all suspicious night-walkers, and disorderly persons, should be apprehended; and by those measures they will either be induced to give up their criminal delinquency altogether, or, at all events, the evils which at present exist, will be very much diminished.

With respect to the number of offenders on the calendar, which amount to sixty-seven, the charter empowers you to inquire of all treasons, murders, and other felonies, *theretofore*, (that is, previous to the 25th of March, 1807, the day the charter passed) had, done, or committed, or which should *thenceforth* be committed within this island, or its subordinate territories, but, general as the words in this retrospective clause appear to be,

they must be limited in their construction, within the rules of law and justice, and this clause must be compared with, and construed by, other clauses in the charter, relating to the same matter. The commission of grand larceny, though it confers very extensive powers, has certain limits fixed for the exercise of its jurisdiction; it is confined merely to that class of prisoners who lie in gaol for their delinquance, and who are entitled to be tried by it: it is true, the court will take care that no man shall be detained in gaol, without a legal charge: but it does not extend to such as are *attached*, who have been tried by former competent jurisdictions.

Now, the charter takes notice, that although no regular judicature could be created, without the king's authority, yet, that certain courts, and persons exercising the powers of judicature in civil and criminal cases, did, in point of fact, exist in this island before the charter; it provides, that their powers shall cease; but, nevertheless, that all their acts, judgments and proceedings, in civil and criminal cases, should remain in full force, unless varied and avoided by the new court, upon proper proceedings instituted for the purpose.

The prisoners on the calendar may be divided into three classes: the first class of prisoners consists of about eighteen persons, heretofore tried by the police magistrate, and sentenced, by the governor and council, to imprisonment and corporal punishment for robberies and other offences for which, perhaps, if they had been tried in this court, they would have been subject to higher punishment: to that class of prisoners your inquiries are no

to extend, as no man who has received the slightest punishment, can be again tried by this court, for the same offence. The second class of prisoners consist of eighteen of the twenty-seven persons who are retained upon the calendar, as charged with murders committed some years before the present clause passed. Now, although I think, that no principle of British law, or natural justice, would be violated by giving the retrospective clause its operation upon the crime of murder, which existed, by the law of nature, antecedent to any municipal institution, and for which crime, a mode of trial is given by the charter, more favourable to a prisoner than that which prevails in any other country in the world, not governed by the British constitution, yet it appears to me, that those eighteen prisoners have never heretofore tried for those murders, before another criminal court, which then in fact sat and exercised jurisdiction under certain authorities derived from the then supreme government of Bengal, the records of which trials are now before me, by which it appears, that all, except one or two of those persons, were found guilty, after long and formal trial, and examination of witnesses on both sides by their judges, of murder, although no sentences were passed upon them, but it seems, the verdicts were referred to the former Calcutta government, for their direction, and the parties have remained ever since in goal.

I had also by the same records, that many other persons were at the same time, and by the same tribunal, tried and acquitted of murders, and discharged now, whatever doubt might heretofore have been entertained of the competency of those jurisdictions, let

now, as the present charter recognizes their act, I think, that under these circumstances, I cannot, without a violation of the rules of law and justice, construe that retrospective clause, as authorizing me to try, or you to inquire, of the merits of such cases, when the witnesses on both sides are probably dead, and the parties in custody might plead their former acquittals. In truth, such a construction would open the door to many mischief, and indeed, it does not appear, that there are now any prosecutors or witnesses in those cases, if the court could re-try prisoners so circumstanced.

The third class of prisoners consists of eight or nine persons, charged with murders, recently committed since the passing of the charter, and some of them within the last few months; to these cases your inquiries should be directed, as well as to that class of prisoners, consisting of about twenty men, who are charged with felonies and thefts committed within a few days past, and some of them during the sitting of the last quarter sessions, which was an additional outrage upon public justice, and the calendar of offences for the last month is carried on periodically from day to day, and quantities of rumbustious goods have been carried through the streets without obstruction or interruption, as if those faithless guardians of the night were accomplices in the plunder of them whom they are paid to protect.

Of all these offences, you are to inquire, and true presentments make, but you are only to inquire, whether the party accused, is charged with such probable circumstances as to justify you in sending him to another jury, who are appointed by law to hear the evidence.

evidence on both sides, and to say, whether the person charged, be guilty or not, of the crime imputed to him; and, if upon such trial, any advantage can be derived from the nicety and caution of the law; or any favourable circumstances appear, it will be as much my inclination, as it will be my duty, to pay due attention to such circumstances --- and if the law declares them guilty, the offenders may still have recourse to that fountain of mercy, the royal breast, where justice is always tempered with clemency --- such is the inestimable blessing of a government founded in law, that it extends its benefits to all alike; to the guilty and the innocent, to the latter, the law is a protection and safeguard, to the former, it is not a protection indeed, but it may be considered as a house of refuge; indeed there cannot be a greater proof of the excellence of the British constitution, than by administering its benefits to all men indifferently

I cannot dismiss you, gentlemen, without saying something on the state of the gaol of this island, which I have visited and examined in person, as I thought it my duty to do, and I am very

sorry to say, that considering it either as a place of detention for the accused, or for the debtor, or as a place of punishment for those who are convicted of crimes, it seems to be very unfit for the purpose; both in situation, and in the arrangement made for the comfort of those confined within it. A prison ought to be so constructed, as to prevent the loss of liberty from being aggravated by any unnecessary severities, nor will the law allow any thing like torture or cruelty, towards prisoners confined therein: --- they should be treated, by their gaoler, with all possible humanity, consistent with their safe-keeping

The high sheriff has, by his report, which I have in my hand, complained of its insecurity, and being totally unfit for prisoners. As to its being in a healthy situation, I cannot form any opinion, except from the coroner's inquisition; by which I see, that numbers have died in it. Those considerations have made me think it my bounden duty, to attract your notice to this subject, and to request, that you will go and examine the prison, and state your opinion thereon, before the session closes.

CEYLON.

Occurrences for JULY, 1807.

July 15 The honourable and reverend Thomas James Twiston, to be provincial judge at Jaffna

Simon Sawers, Esq. to be sitting magistrate of Colombo

Head Quarters, Mount Lavinia,
18th July, 1807.

Lieutenant-general Maitland has

been pleased to make the following appointment

Captain F Whitfield, to be Fort Major of Trincomalee, vice Barry.

Date of Appointment, 1st July, 1805.

(Signed) H. Q. BROWN RIGG.

Occur-

Occurrences for August, 1807.

REGULATION OF GOVERNMENT.

5th August

Present his excellency the governor in council A.D 1807 Regulation 7th.

Whereas in and by his Majesty's charter, establishing the supreme court of judicature in the island of Ceylon, (to wit) in the thirty eighth section thereof the following power (among others) is given to the said supreme court (that is to say) and, "if the cause of action contained in any such libel or petition shall be personal, and of more amount in value than one hundred six dollars of current money of Ceylon, and the plaintiff by affidavit, or being a quaker by affirmation in writing, to be filed of record, shall satisfy the said supreme court of judicature that the defendant is justly and truly indebted to him in a greater sum than one hundred six dollars, or shall, by like affidavit or affirmation, to be filed as aforesaid, verify to the satisfaction of the said supreme court, a case of such enormous personal wrong done to the said plaintiff, or that the said defendant is so vehemently suspected of intending to flee and withdraw himself from the jurisdiction of the said supreme court, to render such security necessary for the purposes of justice, the said supreme court of judicature in the island of Ceylon shall, and is hereby authorized and empowered to award and issue, in lieu of the citation aforesaid, a mandate of arrest, to be prepared in manner above-mentioned, and directed to the said fiscal, commanding him to arrest and seize the body of such defendant, and to have his said body at a time and place in the said man-

date to be specified, before the said court, to answer the said libel or petition, and to give sufficient bail, to be approved of by the said supreme court, that he will stand to and perform the sentence of the said supreme court upon the premises, and pay all such sum or sums of money as shall thereby be decreed, and the said supreme court of judicature may, in and by the said mandate, authorize the said fiscal, to deliver the body of such defendant so arrested to sufficient bail, upon then sufficient stipulation and security given, that such defendant shall appear at the time and place mentioned in such mandate and in all things perform and fulfil the exigence thereof, and upon the appearance of such defendant in and before the said supreme court of judicature, we do hereby authorize and empower the said supreme court to commit him to prison to the custody of the said fiscal, unless, or until he shall give security to the satisfaction of the said supreme court, to perform the sentence thereof, and pay all such sum or sums as shall be decreed thereby, which security we hereby empower the said court to take, and thereupon to deliver the body of the said defendant upon bail." And whereas there is no provision in the said charter authorizing the judge or judges of the said supreme court to issue such mandate of arrest, in lieu of the said ordinary process, while the said supreme court is absent from Colombo, during the circuits, in the said charter directed to be made or taken by the said supreme court annually; and whereas during such periods,

periods, while the said supreme court is absent from Colombo cases may and do frequently arise, in which the substitution of a warrant or writ in lieu of the ordinary process by citation is absolutely necessary for the attainment of ultimate and substantial justice, and above all, particularly so where the defendant may be justly suspected of an intention to flee and withdraw himself from the jurisdiction of the said supreme court.

In order therefore to prevent such a failure of justice, and by virtue of the powers vested in us by his majesty, we do hereby enact, that in the absence of the said supreme court from Colombo, during the absence which is now about to be made, it shall and may be lawful for the sitting magistrate of Colombo, at the time being, in the cases mentioned in the said important thirty-eighth section of the said charter, (and he is hereby upon obligation, made to him for that purpose, by or on behalf of any sitor or sitors in the said supreme court to issue process of ar-

rest against any defendant or defendants, in any suit commenced or to be commenced in the said supreme court, whether the plaintiff therein shall, by affidavit or otherwise, to the satisfaction of the said sitting magistrate, tender proof to shew that such defendant or defendants are so vehemently suspected of intending to flee and withdraw themselves from the jurisdiction of the said supreme court, as in the judgment of the said sitting magistrate to render such arrest, and the security consequent thereupon, under the provision of the said charter, in the said thirty eighth section thereof prescribed, necessary for the purpose of justice. The sitting magistrate shall in all such cases report his proceedings to the supreme court within 24 hours after the said process of arrest shall be issued.

Colombo on August 1807

By order of the Council,

(Signed) JOHN DEANE

Secy to the Council.

By His Excellency's command

(Signed) JOHN RODNEY

Occurrences for MARCH, 1808.

Head Quarters Calcutta

March 18 --- The St. Florentzofrigate, commanded by the late Captain Hardinge, has, after an action second to none that ever graced the annals of the navy, towed into the Roads of Colombo the French frigate *La Piedmontaise*, more than double in force in point of men, and superior in the number of guns, and which had hitherto escaped the vigilance of the navy. Lieut-general Maitland feels it his duty, as representing his sovereign in this

island, to direct, that at four o'clock the flag at the flag-staff be hoisted half flag-staff high, and that minute guns be fired agreeable to the number of years Captain Hardinge had so honourably lived, when his career was, so unfortunately for his friends and his country, cut off.

This order will be read at the head of the troops when it arrives, and similar honours to the memory of Captain Hardinge will be paid in all the forts of the Island on the day of its arrival.

Occurrences

Occurrences for APRIL.

April 4 --- We have this moment received an authentic account of a very severe and well-contested action, fought on the 10th ultimo between his Majesty's ship *Teipsichore*, Captain W. A. Montague and a huge French frigate, supposed, from her appearance, to be the *Canonier*. We are sorry to add, that the result has not proved so fortunate as might have been expected, from the gallantry and persevering exertions displayed by Captain Montague, and his brave officers and ship's company; the enemy, after her fire had been almost wholly silenced, having made off, and owing to her great superiority in sailing, and to the severe damage sustained by the *Teipsichore* in her rigging, unfortunately escaped, after a most anxious and active chase of five successive days. The following are the particulars of this gallant action ---

Captain Montague left Point de Galle on the 11th of March, for Macras, and on the 10th fell in with a French frigate, which, from her appearance, having fourteen ports on a side, was supposed to be the *Canonier*, and by discharging the *Teipsichore*, was fortunate enough to bring the enemy to action at seven P. M. when, after lying six and fifty minutes close alongside, and at the very moment that captain Montague imagined his exertion had been crowned by the most complete success, the enemy's fire having for the last twenty minutes considerably slackened, and at times wholly ceased, he experienced the

mortification of seeing her make sail. He endeavoured immediately to follow, but found that the enemy's fire, which had been principally directed at the masts and rigging, had nearly reduced the *Teipsichore* to a perfect wreck, her fore and main stays, top-mast stays, and many of her lower and top-mast shrouds, her braces, bow-lines, tacks, and sheets, without a single exception, were each cut in several places, the leech rope of the main and main-top-sail cut, and the sails split across, besides many others for a time rendered useless. The enemy perceiving the ungovernable state of his Majesty's ship, bore across her bows, the wind blowing fresh from N. E. The *Teipsichore* immediately wore and endeavoured to close, which was cruelly avoided. At nine she had every thing set in chase, the enemy continuing under all sail before the wind, and keeping up an occasional fire from her stern-chasers, till out of gun-shot, which she effected by ten P. M. The next morning, finding she had not gained much on them, Captain Montague continued after her, in hopes some fortunate event might again enable him to get alongside; she kept running with a fresh wind to the southward. On approaching the line, they experienced light winds and partial squalls, which sometimes brought the *Teipsichore* nearly within gun-shot before the enemy derived the smallest advantage, but when she did, she left them immediately. On the 20th, during a heavy squall, they got close to her, still

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commenced a fire from her stern-chasers, and cut away her boats, and from several of her ports floating past, captain Montague was led to imagine she must have thrown some of her guns over-board. The light wind, again commencing, she run a-head considerably during the night of the 20th, which was dark and squally, and was entirely lost sight of. At two o'clock in the morning of the 21st, they discovered a sail a-head, which was supposed to be the chase, but on bring the first gun she hove to, and on boarding proved to be the brig Cadry, prize to La Piedmontese, which was taken possession of and sent to Madras

At day-light, being unable to perceive any thing of the enemy, captain Montague hauled to the eastward

Captain Montague speaks in the highest terms of the very able assistance he met with from every officer under his command; and of the spirited and persevering conduct of the whole of his ship's company. Then loss, we are sorry to say, has been very considerable, Lieutenant C Tanes and twenty men killed, and twenty-two men wounded, two of whom are since dead. The Terpsichore has returned to Point de Galle. (*Ceylon Government Gazette*)

Occurrences for JULY.

Clement Sneyd, Esq

Capt of H M ship *Su Francis Drake*

Sir,—We the undersigned officers of his Majesty's ship *Su Francis Drake*, on your quitting the command of this ship (an event which has impressed us with the most unfeigned sentiments of regret) cannot suffer you to depart without endeavouring to express how deeply sensible we are of the satisfaction and happiness we have experienced while we have had the honour of being under your pendant

Words can but faintly convey the high sense we entertain of the impartiality and justice with which you have exercised the power and authority which has been delegated to you, at the same time that the suavity of your manners as a gentleman has been so duly blended with the necessary authority of naval discipline, as emi-

nently to have contributed to the support and encouragement of that harmony and unanimity which so happily subsists among us

While we have to lament the departure of a commander so deservedly beloved and respected by his officers, it is with much sincerity we offer our most hearty wishes for your good fortune, prosperity, and happiness

We have the honour to be,
very respectfully,

Sir,

your most obedient,
and faithful servants.

(Signed) R A Andoe, 1st lieutenant.

J. Henderson, 2d, do — R P.

Head, 3d do — W Patterson,
master, — Robert White, 1st
lieut. P. M. — W. Kimber,
purser.

Sir Francis Drake,
Trincomalee, July 2, 1808.

Captain

Captain Sneyd's answer.

Sir F. Drake, Trincomalee, July 2, 1808

Gentlemen,---I have just received your very handsome letter, expressive of your sentiments of regret at my removal from the command of the Sir Francis Drake, a ship I should have been truly proud of remaining in, had I the good fortune of being confirmed in her; but as it has been otherwise arranged I cannot help expressing how sorry I am at separating from officers I have so high a re-

spect for, and whose conduct upon all occasions has merited my utmost esteem

While I lament the circumstance which deprives me the pleasure of sharing in, I must ever anticipate your future good fortunes, and I can with confidence say, no person will be more rejoiced at any success that may attend you, than, gentlemen,

Your very humble servant,

(Signed) CLEMENT SNEYD.

To the officers of the Drake's gun room.

Occurrences for AUGUST.

August 18th ---Captain Lenn, 3d Ceylon regiment, to be brigade major to the forces serving on Ceylon, until further orders, vice Pearson, deceased, date of appointment, 7th August, 1808.

Head-quarters, Mount Lavinia,
August 19, 1808

General Orders.

During the absence from the island of lieutenant-colonel Wilson, deputy-quarter-master-general, the details of that department will be

carried on by captain Hankey, assistant-quarter-master-general.

Lieutenant Stewart, 19th regiment, is appointed temporary assistant in the quarter-master-general's department, until further orders---1st April, 1809.

Lieutenant Dick, 2d Ceylon regiment, is appointed assistant to the military-secretary, until further orders,---1st April, 1808.

(Signed) H. Q. BROWNIDGE,
Deputy-adjutant-general.

Occurrences for SEPTEMBER.

September 28 --- On Thursday afternoon the 15th instant, arrived the H. C. ship Jane, Duchess of Gordon, captain Cameron, from England, the 8th May.

On Thursday evening last, his excellency the governor and-suite, attended by the commissioner of revenue, arrived at Colombo, on his return from a tour round the island

His majesty has been pleased to

issue a warrant under his signet and sign manual, appointing William Coke, Esq. to be his majesty's advocate fiscal, on the island of Ceylon.

Mr. Coke having arrived at Colombo, in the hon. company's ship *Jane, Duchess of Gordon*, and having taken the usual oaths, has accordingly entered upon the duties of his office.

ST.

ST. HELENA.

Occurrences for SEPTEMBER, 1807

LOSS OF THE H. C. SHIP GANGES.
*To the wonderful Relief of the
Ganguees etc. etc.*

Sir,—I pers. a painful duty in acquainting you with the total loss of the H. C. ship Ganges, lately under the command of Captain the 26th ult. off the Cape of Good Hope, in lat. 38, 22 S. and long. 19, 50 E. of Greenwich, the particulars of which are faithful and correctly stated in an extract from our Log-book, which I have the honour to inclose herewith.

I shall do myself the honour of waiting upon you as soon as I come on shore; and mean time beg leave to refer you to my second officer, who is the bearer of this letter, for any further information which you may require on this distressing subject.

I have the honour to be,

Sir,

Your most obt. humble servant,

(Signed) T. HARRINGTON

H. C. ship St. Vincent,

16th June, 1807

*Extract from the Log-book of the
Ship Ganges*

Friday May 29 1807

“A. M. a light breeze and fine, the swell much gone down, but the ship still rolling dreadfully, and rendering it dangerous for the boats to take persons on board, whether astern or alongside. At a quarter past noon the St. Vincent being still nearly four miles from us, there being 7 feet water in the well, the stern-post being now

four inches off the dead wood, and the ship ungovernable by the helm, got the launch at all risks alongside, having in vain attempted to put the ladies on board of her out of the stern gallery, though the railing was cut away for the purpose. At three quarters past noon she left us with all the passengers, except Mr. Rolleston, of the Bombay civil establishment, who insisted, in a manner the most friendly to me, and the most honourable to himself, in remaining on board until my officers and self quitted the ship. At one P. M. the yawl left us with the sick people and some others, ship's company and soldiers of H. M. 77th regiment still working at the pumps with unabated vigour and good will. At three P. M. 6 feet water in the well and the ship settling fast. At past five, 9 feet water in the well and seeing the launch on her return, called the people up from the pumps. Down both cutters, and sent them off as fast as obedience would permit, with orders not to return. At five the launch, yawl, and one of the St. Vincent's boats came alongside, and by half past five had all left the ship again full of people, the third and fifth officers in charge of the launch and yawl.

“I immediately after the boats had quitted us, mustered the people, and there being 49 men still on board, (Mr. Rolleston, the chief, fourth and sixth officers, and myself included) again set the pumps to work, as the night was closing
in

fast, and the St Vincent still at some distance from us. At six P M. in company with the chief officer, gunner, and carpenter, visited the gun-room for the first time, found the hard of the stern-post had forsaken the transom full six inches, the fore-and-aft beam of the counter two inches open six or seven feet down at least, the word ends five inches off the stern-post, and all the counter timber gone at the heels. At three-quarters past eight, P M. the St Vincent tacked and the yawl once more came alongside, and then (and not till then) were the pumps finally quit by my order. Tided the two boat and dispatched them to return no more, five minutes afterwards the launch came back to us, and at three-quarters past eight, accompanied by Mr Rolleston, the chief, fourth and sixth officers, and all that remained of the ship's company, I quitted the unfortunate Ganges with three cheers from us all, and twenty minutes after boarded the St Vincent in safety, where we were received by captain Jones, with all that feeling and humanity which has distinguished his conduct since our separation from the fleet, and here, before the journal of this eventful voyage is finally closed, I conceive it to be my duty to state, that in leaving the ship, she had ten feet of water in the well, that she had settled half way up her bows, that she was wholly ungovernable by the helm, that the poop, quarter deck, and upper works generally were in motion, and that as no human means were left untried, so were no human powers equal to save her from destruction.

"At day light, the St Vincent, from causes as much apparent in the log book, having made but little

progress in the night, saw the ship about five miles off with her masts, yards and sails, in the same situation as on the preceding evening. At seven, A M. captain Jones, in compliance with my request, bore up towards her, and at nine accompanied by Mr Rolleston, the chief and fourth officer, and a full complement of men for the boat, I pulled towards her in the launch, with the hope of saving some part (however small) of the property on board.

"As we approached the ship, observed the water running out of the scuttles on the gun-deck, and that the fore castle was, at times, completely buried in the waves. Under such circumstances, the ship being evidently in a sinking state, we conceived it most prudent to relinquish our object, and therefore immediately returned to the St Vincent, at this time not more than a quarter of a mile distant. About four minutes before noon got alongside of her again, and fortunate it was that we did so, for scarcely had the launch been secured in that situation, before the Ganges with three close reefed topsails set upon her, fore and main yards square, cross-jack yard spread up and mizen stay sail sheet aft, fore sail in the orials, and helm lashing alee, in a most extraordinary manner, paid off before the wind, and, in the lapse of one minute, sunk entirely, going down head foremost, (with all masts standing, except the main top mast, which on the main yards touching the water, broke off at the cap and fell forwards) and leaving on the minds of upwards of four hundred persons, who were witnesses to this most awful scene, an impression which the *feeling heart* may perhaps conceive, but

but which never can, I think, by the *ablest pen*, be with *justice described*.

Lat 38 22 S. where the journal of this ill-fated ship closes for ever

(Signed) T. HARRINGTON

The measles had been brought from the Cape to the island, and proved very fatal. Eleven lies, three gentlemen, about fifty white children, and every good black on the island, had fallen victims to this disorder

At a meeting of the passengers of the late ship *Ganges*, held at St Helena, on Saturday the 20th of June, 1807, for the purpose of presenting some testimony of their grateful acknowledgments to Charles Jones, Esq. commander of the honorable company's ship *Earl St Vincent*, for having been the means, under the guidance of providence, of having rescued the whole of them from an untimely and miserable fate

Lieut.-general Nichols being requested to take the chair---

RESOLVED UNANIMOUSLY, ---

First,---that a handsome piece of plate, of the value of one hundred guineas, with an appropriate inscription, in commemoration of the above event, be presented to captain Jones.

Second---That captain Jones be requested to accept of the sum of two thousand guineas, as a grateful acknowledgment of the sense we entertain of his liberal, kind, and hospitable attention to us, whilst we remained on board the *St. Vincent*

Third---That a committee, of lieutenant-general Nichols, lieutenant-colonel Grant, and James Law, Esq. be appointed to carry the above resolutions into effect, as early, after their arrival in

England, as circumstances may permit.

Fourth---That lieutenant-general Nichols be requested to present a copy of these resolutions to captain Jones, on the part of the passengers of the *Ganges*

(Signed) O. NICHOLLS,

Chairman.

To Lieut.-gen Oliver Nichols.

SIR,---I had the honour of receiving your letter of the 22d instant, conveying the resolutions of the passengers of the hon company's late ship *Ganges*

I shall accept with gratitude the piece of plate they are pleased to present me with, and shall return it as a testimony of their friendship, as well as a memorial of the singular situation I was placed in by providence, to be the means of aiding in the preservation of such a number of my fellow creatures

Your token of two thousand guineas I shall also accept, and am proud in being considered worthy the munificence of so much liberality.

The means I had of accommodating you on board, did not equal my wishes; in this my passengers and officers were equally forward with myself.

I have to return my warmest thanks to you, sir, for the very polite manner in which you have been pleased to communicate the resolutions of the passengers.

I have the honour to be,

Sir,

With great esteem,

Your obedient servant,

CHARLES JONES.

St Helena, 23d June, 1807.

We give insertion to the following address from the learned and philanthropic Dr. Anderson, of Madras, to the governor of St. Helena, for

for the information of all persons who may expect to touch at that island on their voyage to England or otherwise

To the hon col R Patton, governor of St. Helena, &c &c.

HON SIR,---Having been constituted a member of an agricultural or horticultural society, that was formed with great zeal at St Helena a number of years ago, I have omitted no favourable opportunity of transmitting every produce of this quarter that seemed propitious to the views of the society, particularly the best kind of Mangoes, which are preserved genuine by engrafting, and this public communication, in the view of being more essentially and extensively useful, will, I am sure, meet your entire support, when I tell you, that a plant sent here from his Majesty's garden at Kew, for the nourishment of cochineal insects, turns out to be applicable to much higher purposes, (viz) the cure, and even the prevention of scurvy.

As your island, which I have traversed, is, by its volcanic products of gravel and sand, well

adapted to the rearing of this plant, and as I have established a plantation here to meet the demands of his Majesty's fleet in these seas, it is my intention to send, by every opportunity, Nopal plants, until the island of St Helena is covered with them, that British seamen may be furnished with the means of being preserved from this deadly pestilence on both sides of Africa

To effect so valuable a purpose, it appears to me only necessary, that at your leisure and convenience, the plants which I shall send, may be transmitted to persons dwelling in the country, who will find an interest in planting and rearing them, as food for their cattle, as well as a luxury for their own tables in dry seasons, which will soon be attended with all the necessary surplus, and the Nopals will be sent from hence in dry baskets, each containing 300 plants

I am, hono^{le} able Sir,

Your very obedient,

Humble servant,

J. ANDERSON.

Madras, June 20.

GOVERNMENT NOTIFICATIONS.

Commercial Regulations.

The following extract of a letter from the honourable court of directors, is published for general information

We have resolved that the following sums shall be charged to individuals for the freight of goods laden by them homewards on the regular and extra ships of the seasons undermentioned, viz

Season 1804. — £ 90 10 per ton for goods laden on regular ships.

Season 1805. — £ 92 5 per ton for goods laden on regular ships.

£ 22 15 per ton for goods laden on extra ships

Season 1806 — £ 90 10 per ton for goods laden on regular ships

£ 22 15 per ton for goods laden on extra ships.

Season 1807-8 — £ 90 10 per ton for goods laden on regular ships

By order of the president and members of the board of trade,

J. G. WATKIN, *Att Sec.*
Fort St. George, Aug 17, 1807

PUBLIC DEPARTMENT

The honourable the governor in council having been pleased to resolve that a reward of 5,000 sapagadas, or 2,000l. shall be paid to any commander of a British vessel who may import alive at Madras the genuine cochineal insect, the growth of South America, the following description of the species of insects for which this reward will be paid, and of the mode recommended to be pursued for the accomplishment of this object, is published for general information.

There is a distinction in trade of our kinds, viz. Mastique, Com-

preschane, Tetrascchale, and Sylvestre, of which, the first is accounted the best, and the last the worst, the first three derive their names from the situation of their produce, the last is found wild. and though, perhaps, superior to the spurious insect procured here, is not considered to be a desideratum —

It either of the other three kinds above specified could be procured, it is suggested that the live insect may be preserved on the plant during the voyage to Madras, but as the success of this experiment, on a sea voyage, must be precarious, every other practical mode that can be devised should be attempted, for this purpose the following is understood to be the mode practised by the Spaniards for preserving the insect whilst propagating its species, or depositing its eggs.—The insects designed for this purpose are taken at a proper time of their growth, put in a box well closed, and lined with coarse cloth, in this confinement they deposit their eggs and die—the box is kept close shut till the time of placing the eggs on the Nopal, the animalculæ are so minute as scarcely to be perceived, they are put on the tree in May or June, and in two months attain to the size of a dog tick—the mode of preserving the insect on the plant should, however, also be attempted, especially as there is reason to doubt whether that on which the Spanish

Spanish Coccos feed, be the same with the *Nopal Andersonia*.

Published by order of the honourable the governor in council

G G KIBBLE,

Act Chief Secy to Govt.
For St George, Oct. 29, 1827.

Copy of a paragraph inserted in the the general letter to Fort St George

"Having observed that the country ships which have had contracts from either his Majesty's or the Company's ships, have frequently quitted that protection, and thereby not only exposed themselves, but subjected the ships they have left to the risk of capture, and having had reference to the practice of quitting convoy in this country, and to the penalty attaching to ships wilfully or negligently separating, we direct that a similar regulation be adopted with all the country ships, and that the commander be required, either at the custom-house where the ship belongs, or upon his requiring convoy at any other port, to enter into a bond of 5,000 rupees, as a penalty for any separation out in the event of its appearing to the satisfaction of the government of the presidency where the bond has been given, that the separation was not wilful or occasioned by negligence, but has been accidental or unavoidable, we shall leave it to their discretion either to mitigate or remit the penalty."

Published by order of the honourable the governor in council,

G G KIBBLE, Secy to Govt.
For St George Sept. 21, 1828.

Regulations respecting coinage,

SILVER

Fort St. George, July 15, 1827.

Public department --- EXTRA 1 ---
The right honourable the Governor in Council is pleased to publish

the following order, respecting the new coinage.

2 --- All the silver coinage of this presidency, coined at the Madras mint, shall be coined direct from dollars, when imported, and of dollar fineness.

3 --- The dollar is estimated at eight penny weights worse than English standard, and, in consequence, the new rupee will weigh of dollar silver seven penny weights, eighteen grains, and forty-five sixty-fourth parts of a grain, English troy weight, and each thousand rupees will weigh, of dollar silver, thirty two pounds, four ounces, nineteen penny weights, seven grains, and one-eighth part of a grain English troy weight; and each rupee will contain six penny weights, twenty-two grains, and one hundred and ninety-one four-hundred parts of a grain of pure silver, English troy weight, and (each thousand rupees will contain twenty-eight pounds, ten ounces, sixteen penny weights, thirteen grains, and one half grain, English troy weight, of pure silver,) being the same quantity of pure silver as is contained in the honourable company's Arcot rupees, which have been always issued from the Madras mint

4 --- The double rupee will contain double the quantity of pure silver which the rupee does, viz. fifty-seven pounds, nine ounces, thirteen penny weights, and three grains, and be double its weight --- The half rupee will contain half the quantity of pure silver as the rupee does, viz. fourteen pounds, five ounces, eight penny weights, six and three quarter grains, and be half its weight, the quarter rupee will contain one quarter of the pure silver which the rupee does, viz. seven pounds, two ounces, four-

fourteen penny weights, three and three-eight grains, and be one quarter of its weight.

5 --- There are also coined and issued, the following small coins, five fanam pieces, on which is inscribed then denomination in English, Persian, Gentoo and Malabar, weighing each seventy-one and three quarter grains, English troy weight, three fanam pieces, inscribed as above, weighing forty-two and three quarter grains English troy weight, two fanam pieces, inscribed as the two former, weighing twenty-eight and one half grains English troy weight---and one fanam pieces, inscribed as above, weighing fourteen and one quarter grains, English troy weight.

Published by order of the right honourable the governor in council.

G G KEBLE, Sec to Govt.

GOLD.

PUBLIC DEPARTMENT --- The shroffs of Madras having voluntarily proposed to government that they were willing to change the larger coins current at the following rates, viz

	Fan	Cash.
For every pagoda to give	44	70
For every half pagoda to give	22	35
For every quarter do to do.	11	17½
For every rupee	12	65
For every half rupee	6	32½

The honourable the governor in council has been pleased to give public notice of this agreement on the part of the shroffs, who have been, and will be, supplied at the treasury with fanams and copper coins of the different denominations, to enable them to carry the same into effect --- The honourable the governor in council is also pleased to notify that the silver half and quarter pagoda pieces are to be considered not only as the currency of Madras, but of every

part of the dominions of the honourable company, subject to the government of Fort St. George

Published by order of the honourable the governor in council

G G KEBLE,

Act chief Sec to Govt.
Fort St. George, Nov. 28, 1807.

COPPER

Public department --- The honourable the governor in council, with a view to remedy the inconveniences which have hitherto been felt from the want of a proper copper coinage in the honourable company's districts under this presidency, has been pleased to issue a new coinage of copper of the following numbers, weights, values, and relative proportions to the country weights.

The double dubs are issued at the rate of twenty-four to the rupee, and are to be received and paid in all public payments The single dubs, forty-eight to the rupee---half dubs, ninety-six to the rupee, and the quarter dubs one hundred and ninety-two to the rupee

They will weigh as follows, viz.

(Avoirdupoise)

Double dub, 11,000 to the candy of 500lb.	
Single do 22,000 to do. do.	
Half do. 44,000 to do. do.	
Quart. do 88,000 to do do.	
Singledub to 1 maund of 25lb avoird. 1,100	
do. to 1 viss or 2½ do. 137½	
do to 1 padalam or ½ viss do. 68½	
do to 1 yabalam or ¼ do. 34½	
do to 1 pump ½ do do. 17½	

And in case the above copper coins, are issued at the presidency, &c. they are to measure with the star pagoda and fanam as follows.

84 Double dubs to one pagoda.	
168 Single do to one do.	
336 Half do. to one do	
672 Quarter do. to one do.	
216 Regular do. to one do.	

whose denominations are inscribed on them.

Three

Three single dubs and one regulating dub are equal to one fanam, six half dubs and one regulating dub are equal to one fanam, twelve quarter dubs and one regulating dub are equal to one fanam.

There are also issued the following coins, with their denomination inscribed on them in English, Persian, Gentoo, and Malabai.

40 cash piece being 208 grains, or $23 \frac{1}{4} \frac{6}{10}$ to the pound Avoirdupoise.

90 cash piece being 149 grains, or $46 \frac{1}{4} \frac{6}{10}$ to the pound Avoirdupoise.

10 cash piece being $74 \frac{1}{2}$ grains, or $93 \frac{1}{4} \frac{6}{10}$ to the pound Avoirdupoise.

5 cash piece being 37 $\frac{1}{2}$ grains, or $187 \frac{1}{4} \frac{6}{10}$ to the pound Avoirdupoise.

And $4 \frac{1}{2}$ cash pieces 18 $\frac{1}{2}$ grains, or $375 \frac{1}{4} \frac{6}{10}$ to the pound Avoirdupoise.

The honourable the governor in council has also deemed it expedient to issue a silver coinage of half and quarter pagodas of dollar silver fineness.

The weights of which are as follows, viz. a silver half pagoda will weigh three hundred and twenty-six grains and one hundred and eighty-seven two hundred and fifty-six parts of a grain English troy weight, and will be equal to one and three quarters of an Arcot rupee, and a silver quarter pagoda will weigh one hundred and sixty-three grains, one hundred eighty-seven five hundred and twelve parts of a grain English troy weight, and be equal to seven-eighths of an Arcot rupee.

(Published by order of the honourable the governor in council)

G G KEBBLE,

Act Chief Sec to Govt.
Fort St George, Nov. 28, 1837

Regulation settling the relative Brevet Rank between the King's and Company's officers

July 10.--- The following ex-

tracts of a letter from the honourable the court of directors, under date the 23d of December, 1806, is published for the information of the army.

Par. 6th. As the promotion of lieutenant-colonel Bell, of the Madras artillery, was a principal cause of the grievance complained of by the other lieutenant-colonels in our service, arising from the operations of his Majesty's warrant consequent to that promotion--- His royal highness, the commander-in-chief has signified his intention to recommend to his Majesty that all the lieutenant-colonels in his Majesty's service, who have been promoted to the local rank of colonel in India, in consequence of having been superceded by colonel Bell, should return to their former rank of lieutenant-colonel, on condition that the Court shall declare, that from the day preceding the date of lieutenant-colonel Bell's promotion, no lieutenant-colonel in our service shall be permitted to hold a higher rank by regimental promotions, than that of lieutenant-colonel commandant, until he is promoted to the rank of colonel, by the general brevet granted by his Majesty to the company's lieutenant colonels.

We therefore direct that the commissions of colonel, granted to lieutenant-colonel Bell, and to all other lieutenant-colonels in our service, who may by regimental promotion have been subsequently promoted to the rank of colonel, be recalled, and that they be denominated Lieutenant-colonels commandant, but they are to enjoy all the advantages of the command of corps they have obtained in like manner, as if they held the rank of colonel.

8th. And for the entire removal

in

in future of all difficulties and embarrassments, of a nature similar to those which have occasioned the late discussions, we direct that the following general regulations be established.

9th That in future, when a vacancy occurs in the command of a regiment of infantry, battalion of artillery, brigade of cavalry, or the corps of engineers, the senior lieutenant-colonel, succeeding to such command, shall not, in consequence, be promoted to the rank of colonel, but shall be called lieutenant-colonel commandant of the regiment, battalion, &c &c until, by general brevet promotion in his Majesty's army, he become entitled to be promoted to the rank of colonel, by the date of his commission, as lieutenant-colonel in the company's service.

10th. The lieutenant-colonel commandant is, however, to enjoy the same emoluments in every respect, in obtaining the command of a regiment, &c &c as he would be entitled to if he had been promoted to the rank of colonel, under the regulations of 1796.

11th This regulation will completely remove all causes of complaint in the king's lieutenant colonels, regarding the promotion of officers of that rank in our service, and, it appears to us to be the most effectual mode of doing so; at the same time it will have the additional advantage of preventing all supercession among the lieutenant-colonels in our service by the accidental promotion that has heretofore occasionally taken place of a junior lieutenant-colonel of one corps, before that of his seniors in other corps.

12th. By the establishment of this regulation, we have reason to

hope his Majesty's warrant of April 1804, will be withdrawn as being no longer necessary.

Regulation adjusting the relative length of service between the officers of the Company's Ordnance and Infantry

General Orders

Calcutta, Oct. 12 --- PM. 183d. The relative length of service required from officers in the ordnance department, in proportion to the whole of their service in India, to entitle them to full pay on retirement, is established by your resolutions on the following principles.

184th Those who have been twenty-seven years on actual service in India, are required to have served fifteen years as ordnance officers.

185th. Those of twenty-five years actual service in India, are required to have served eighteen years in the ordnance department.

186th Those of twenty-two years actual service in India, are required to have served twenty-years as ordnance officers.

187th. We think, in these regulations, there is too great a disproportion to the different periods of service altogether in that required in the ordnance department, and that the following may be substituted.

188th. Commissaries, or deputy commissaries, of ordnance, not being commissioned officers, who have served, twenty-seven years altogether in India, must have served twelve years in the ordnance department.

189th Those who have served twenty-five years in India altogether, must have been fourteen years ordnance officers.

190th.

190th. Those who have served twenty-two years in India, must have been seventeen years in the ordnance department.

Regulation respecting the passage-money of officers proceeding to sea.

Fort St George, Oct. 13 ---The honourable the governor in council is pleased to establish the following regulation for the payment of passage-money to officers proceeding to sea on duty.

1st. Every officer proceeding on duty on a ship of war, an Indian man, or country ship, shall receive, during the period of time while he may continue on board of ship, an allowance, as passage-money, consisting of the difference between the half and full batta of his rank, and a pagoda each day exclusive of his ordinary garrison allowances.

2d. Officers proceeding on Indian men, or country ships, shall pay the whole amount of their passage-money to the captains of those ships, in consideration of which the captains shall be required to supply those officers with accommodation, and a suitable table.

3d. Officers proceeding on a ship of war, shall make such an arrangement as may be practicable on the subject of their table, with the officers of the ward-room.

4th. List of the officers proceeding on duty as above, shall be submitted to the governor in council, by the quarter-master-general of the army, in order that authority may be given to the military auditor-general for passing charge for advance of passage-money to such an extent as the government shall consider to be expedient.

5th. This regulation shall not be understood to apply to officers returning to England on duty,

Regulation adjusting the pay of officers under suspension

Dec 3 ---Par 2 Having taken into our consideration the situation of military officers, who have been at different times suspended from the company's service by our governments abroad, without previous trial by a court martial, in regard to their claims to pay during such suspension, and being of opinion that it would be desirable, that some fixed rule should be established in order to remove the doubts that have hitherto been entertained upon the subject, we have resolved that officers in the predicament above mentioned, shall be considered as entitled to the pay only of the military rank they held at the time of their being suspended by order of our governments from the time they were so suspended until we shall come to a final determination upon the cases of the officers referred to our consideration, provided we shall be satisfied that no necessary delay in our proceeding to a decision has been occasioned by the officers themselves.

Regulations relative to Cadets.

General Orders

Fort St. George, July 14 — The right honourable the governor in council has been pleased to establish the following regulations, for the disembarkation, reception, and charge of gentlemen cadets arriving at the presidency from Europe.

1st. The commanders of the honourable company's ships casting anchor in the roads, shall be required to furnish, by the return of Catamaran, a signed list of the number and names of cadets on board for the several presidencies, that boats may be dispatched for their accommodation; and no ca-

dets

dets shall be allowed to land, until a non-commissioned officer is sent on board to receive them and their baggage, and to conduct them to the place prepared for their reception.

2d The gentlemen cadets for this establishment when landed, (if no officer of the cadet company is present) will be placed under the charge of an officer, who will be ordered for that duty by the commander-in-chief, --- through him only will they receive any advances of pay: he will, under the instruction of the adjutant-general, regulate their proceedings while detained at the presidency, and see the necessary arrangements promptly and properly made for their march to Calcutta.

3d Cadets for the other presidencies, landed at Fort St George, will be under the immediate controul of the town-major during their detention.

4th The master attendant has been instructed to make the necessary communications to the honourable company's ships, and he will dispatch the lists of cadets, when received, to the town-major, who will indent for the requisite number of boats, and detach a non-commissioned officer to each ship, to receive and conduct the gentlemen cadets to the adjutant-general's office.

BY GOVERNMENT

Fort St George, Aug 23.—The honourable the governor in council is pleased to publish to the army the following extract of a letter received from the honourable the court of directors, dated 6th April, 1808

5th "In consequence of the representation of the Bengal government setting forth the very

reprehensible conduct of the cadets at the institution at Baraset in refusing to study the native languages, we have deemed it advisable to establish certain regulations for their leaving England

6th "We have accordingly transmitted you a number in the packet, a copy of the terms on which young men are admitted into our military service, and to which we require their assent before we appoint them.

7th. "The cadets have likewise delivered to them, a copy of the articles of war, and you will observe in the terms alluded to that the cadet is required upon his arrival in India to sign a declaration that he has frequently and attentively perused the articles of war during the voyage out, and that in the event of his having neglected to peruse them, he is not to be entitled to his pay, or to be considered on the strength of the army until he delivers to the government a written declaration that he has carefully perused the same

8th "We inclose also a copy of the declaration signed by the cadets upon their being appointed, and we trust the measures now adopted will effectually suppress that spirit of insubordination which has manifested itself among the cadets at the institution established at Baraset, and tend to check a similar disposition in the cadets at your presidency, as none will in future proceed to India without being fully apprized of the nature of their appointment, and the rules and orders to which they are expected to submit, but, if contrary to our hope and expectation, any of the cadets should evince a disposition to insubor-

subordination, we direct that you exercise the authority with which you are invested, by the suspending or dismissing them our service as the case may require, and that you immediately order those who may be dismissed to return to England at their own expense."

Terms on which Persons are admitted as Cadets into the Military Service of the Honourable United East-India Company

"The cadet (upon his being approved of by the committee of shipping) will be ranked according to his actual departure from England, so that the sooner he proceeds to India, the higher his rank will be above those who may be appointed in the course of the same season as himself

"On his arrival at the presidency to which he is appointed, he will enter into pay as a cadet, at four shillings and two-pence per day, and promoted to a commission in the company's army, according to his seniority in the list of rank above alluded to, provided he shall not have forfeited his claim to such promotion by any disobedience of the court's orders, or misconduct during his passage out

"If the cadet should wish to be accommodated at the commander's table during the voyage out, he will be required to pay into the hands of Mr. Chatfield, the company's pay-master, the sum of 110*l.* for his accommodation, being 95*l.* for the commander, and 15*l.* for the owners of the ship. But if he should prefer being accommodated at the third mate's mess, he will then have to pay in the sum of 70*l.* being 55*l.* for the third mate, and fifteen for the owners. Should the cadet, after he has taken his

passage, neglect going in the ship, the commander or third mate, will be entitled to retain one moiety of the passage-money paid in on then account, but the other moiety, and the 15*l.* paid in on account of the owners, will be reserved towards his subsequent conveyance, or returned to the cadet, should he resign his appointment before his departure from England. It is further expected, that the cadet will, upon his arrival in India, conform strictly to all the rules and regulations of the institutions established at the presidency, to which he is appointed, for the instruction of the cadets, and that he will endeavour to qualify himself for his future situation, by professional acquirements and by the attainment of a knowledge of the languages of the country. in failure of which he will render himself liable to be dismissed the service, and ordered back to England at his own expense

"The cadet, upon his appearing before the committee, will be furnished with a copy of the articles of war for the company's service, and he is hereby informed that upon his arrival in India he will be required to sign a declaration, that he has frequently and attentively perused the same during the voyage out; and in the event of his having neglected to peruse them, he will not be entitled to his pay, or considered as on the strength of the army, until such written declaration is given in to the governor.

"And whereas it has been represented to the court or directors by the governments abroad, that many of the cadets at the institutions have manifested a serious disposition to insubordination towards

towards their superiors, and have been guilty of gross irregularities and ungentleman-like conduct towards each other, the cadet is hereby informed that, on his arrival in India, he is subject to martial law."

At a Court of Directors held on Wednesday the 21st January, 1808

Resolved, — "That the commanders be likewise restrained from demanding or taking more than ninety-five pounds from any assistant surgeon or cadet, who shall be accommodated at their table during the outward-bound voyage to India, by the commander's consent, or in consequence of the orders of the court of directors, or committee of shipping, and that the sum of ninety-five pounds be exclusive of the passage-money, which will be paid the owners, by the company for assistant surgeons and cadets.

"That if it should be more convenient to any assistant surgeon or cadet, proceeding to India, to be accommodated in the third mate's mess than at the captain's table, a sum not exceeding fifty-five pounds, to be taken for such accommodation, and if the third mate, should directly or indirectly, either demand or receive a larger sum than the above, he be fined treble the amount of the excess, for the use of Poplar hospital, and that such fine be deducted from his wages, or his account of private trade, as the court of directors may hereafter be pleased to direct."

(Signed) W RAMSAY,
Secretary

At a Court of Directors, held on Wednesday the 6th June, 1804.

Resolved, — "That upon the friends of each cadet paying the

regulated amount of his passage-money to the company's paymaster, such cadet be required to sign a declaration upon honour, that he has not paid or caused to be paid, nor will not pay or cause to be paid, either directly or indirectly, by himself or by any person on his behalf, any further sum for his accommodation, either, to the commander or mate, than those prescribed by the court's regulations

"That in the event of its appearing at any future time, that a further sum shall have been paid by or for any cadet, such cadet be placed at the bottom of the list of rank of the season in which he was appointed, and

"That these last-mentioned regulations be printed and delivered to each cadet, upon his appearing before the committee of shipping to be approved."

(Signed) W RAMSAY,
Secretary.

At a court of directors held on Wednesday the 30th July, 1808.

Resolved, — "That any person who shall in future be nominated to a situation, either civil or military in the service of this company, and who shall have obtained such nomination, either directly or indirectly, by purchase or agreement to purchase, through the medium of an agent, or other person, shall be rejected, and the person so nominated shall be rendered incapable of holding any situation whatsoever in the company's service, and, in the event of any person having obtained an appointment in the manner before stated, and proceeded to India previous to its being discovered, such person shall be dismissed the company's service, and

and ordered back to England, and shall also be rendered incapable of holding any situation whatsoever in the company's service."

(Signed) W. RAMSAY,

Secretary.

Copy of the Declaration signed by the Cadets when they are appointed

"We whose names are hereunto subscribed do acknowledge that we have received a copy of the articles of war for the military service of the honourable united East India Company, and we further declare, that we are willing to serve the said Company upon the terms which were delivered to us at the time of our admission, and will strictly conform to all the rules, orders, and regulations which have been, or may be established by the honourable court of directors, or the governor in council at the presidency to which we are respectively appointed as cadets."

The commander-in-chief is requested to give the necessary orders for ascertaining, in the manner prescribed by the honourable court of directors, whether the gentlemen cadets who arrived at this presidency by the late fleet, have regularly perused the articles of war, as directed by the honourable court

CALCUTTA GOVERNMENT BANK.

Sept 23, 1868

Public Department. - The honourable court of directors having been pleased to approve of the establishment of a bank at this presidency, and with a view of its being invested with all the privileges and immunities usually granted to corporations legally erected in England, the honourable court having obtained

from the legislature the necessary powers to that effect, the following plan of a bank is published for general information

1 A bank shall be established in Calcutta on the 1st January, 1869, to be denominated the bank of Bengal, and shall be incorporated for a term of seven years, under a charter to be granted for this purpose by the governor-general in council, by virtue of the authority vested in him by the act of George the third, section 2d, chap. 68.

2 The bank shall be established on a capital of 50,000,000 of sicca rupees, to be divided into 500 shares, of 10,000 sicca rupees each

3 One hundred shares of 1,000,000 of sicca rupees shall be subscribed for by government, and four hundred shares by individuals

4 The bank shall be managed by nine directors, three of whom shall be nominated by the governor-general in council, and six shall be appointed by the individual proprietors of the bank. The directors, previously to entering upon their charge, shall be sworn before the governor-general in council, to a faithful discharge of the trust reposed in them

5 The six directors to be appointed by the proprietors, shall be elected by ballot at a general meeting of proprietors, to be held at the bank, on Thursday the 15th of December next.

6 No person shall be eligible as a director (except the three directors nominated by government) who shall not possess at least one share in the bank.

7 Armenians, Natives, and others holding shares in the bank, shall be considered eligible as directors,

rectors, under the condition prescribed in the foregoing clause.

8. Two of the directors appointed by the proprietors shall be changed annually, and after the second year, shall go out by rotation, so that no director may be continued in the situation above three years.

9. At the expiration of the first year, two of the six directors shall go out by lot, and two of the remaining four at the expiration of the second year, in the same manner.

10. The subsequent changes shall take place by rotation as above specified, but the proprietors shall be at liberty to re-elect any former director after the expiration of one year from the time of his secession from the direction.

11. The proprietors shall also be at liberty to remove any of their own directors by a plurality of votes for misconduct at any time during the period of their appointment.

12. Government will remove their own directors periodically, if they shall think it necessary or proper, but as they are proposed to be official appointments, it is to be presumed, that no individual is likely to continue in the direction for so long a period as to acquire any undue influence.

13. In the event of the death, removal, or resignation of one of the six directors, a meeting of the proprietors shall be called, within fifteen days, for the purpose of electing a successor, who shall be appointed to act as a director for the unexpired period which his predecessor was to have served.

14. The three government directors shall be certain public officers viz. a member of the board of revenue, or board of trade, one

of the secretaries of the government, or the accountant-general, or deputy accountant-general for the time being, or such other officers as government may think proper to nominate.

15. The directors, when appointed, shall proceed to elect their own president, and to appoint a secretary and treasurer, and such other officers as may be found necessary, but the annual expense of the establishment shall be limited in the first instance, to the sum of sicca rupees 30,000, and this amount shall not be exceeded, except with the sanction of the proprietors to be obtained at a general meeting.

16. Each share shall entitle the proprietor to a vote as far as five shares; but beyond five, not less than two shares shall be necessary to give a vote, and no individual or company shall be allowed to hold more than ten shares, or to have more than seven votes.

17. Government shall not be considered as having a right to vote on any questions relating to the appointment or removal of the six directors, nor on any question concerning the interior management of the bank.

18. After the first six months, no person shall be allowed to vote at any general meeting of proprietors, who shall not have possessed and duly registered the share or shares, (on account of which he may claim the right to vote) for a period of three months at the least.

19. At the first meeting of the proprietors, the list of subscribers shall be produced by the treasurer of the bank to determine the right of voting; and at all subsequent meetings, a similar list shall be produced by the directors.

20 In case of absence, proprietors shall be allowed to vote by proxy, the proxy producing a certificate under the signature of the proprietor, authorizing him to vote on his behalf, and all such certificates shall be preserved among the records of the bank.

21 Certificates shall be granted under the signature of the directors for the shares in the bank, and such shares shall be considered transferable by endorsement, provided that the transfer be notified, and registered in the bank-book.

22. The directors shall be competent to make such bye laws or rules for the management of the business of the bank, and for the conduct of their officers, as may appear to them necessary, provided that such rules be not repugnant to the principles on which the bank is constituted.

23 Three directors, at the least, shall be considered necessary to form a board, and in case of an equal division of votes of the members present, the president shall have a casting vote.

24 In the event of the absence of the president, from sickness, or other cause, he shall be allowed to nominate any one of the directors to preside for him during such absence, and the acting president shall be competent to exercise all the functions appertaining to the situation of president.

25 The president shall be appointed for one year only, but may be re-elected by a vote of the directors.

26 Three of the directors shall officiate alternately for one week, for the dispatch of the current business, and the general superintendence of the bank, and the signatures of three directors shall be

considered necessary to all accounts, deeds, obligations, and other papers of the bank requiring attestation.

27. The office of secretary and treasurer shall be held by the same person, who, previously to receiving charge of it, shall be required to give a security, in a sum not less than 50,000 sicca rupees. The native treasurer, or khazanchy, shall also give security to an equal amount.

28 The secretary and treasurer, the head accountant, and the native khazanchy, shall be sworn to a faithful discharge of their trust, before the governor - general in council, or, should the khazanchy be of that description of persons, who are exempted from taking an oath, by the regulations of the governor-general in council, he shall be declared to sign a solemn declaration to the same effect.

29. The book of the bank shall be balanced every six months, viz. on the 30th of April and 31st of October of each year; and a statement of the balance, attested by a majority of the directors, shall at each period be submitted to government.

30. Government shall have a right to call from time to time for any information respecting the affairs of the bank, which it may deem proper, and also to require the production of all books and papers relating thereto, or to appoint any officer or officers of government to inspect them.

31. The first dividend shall be made on the 1st of July, 1809; and after that date, a dividend shall be made every six months, viz. on the 1st of January and the 1st of July.

32. The rate of the dividend shall be determined by the direc-

tors upon the ground of the actual profits of the bank, during the period for which such dividend shall be made

33 All undivided dividends shall be held in deposit, payable on demand, and the directors shall not be at liberty to appropriate such dividends to the payment of demands on the bank

34 Should any proprietor, however, who may have incurred a debt to the bank, fail in his engagements, the directors shall be at liberty to appropriate any dividends which may have become due to such proprietor at any period antecedent to the failure in his engagement, or which may afterwards become due to him, until the debt be discharged.

35 The notes of the bank shall be issued in sums not less than ten rupees, nor exceeding 10,000, and they shall be received (under certain conditions and limitations) in all payments to be made to government at their general treasury, and other offices at the presidency, but not at any of the provincial treasuries, except with the express permission of the governor-general in council.

36 The following general rules are prescribed for the conduct of the directors.

37 They shall not grant any loans for a period exceeding three months, and they shall not renew any loans, but regularly receive payment of the amount

38 They shall not charge interest, or discount bills, at a higher rate of interest than twelve per cent per annum.

39 They shall not make any advances on loans to government to an amount exceeding in the aggregate at any time the sum of sicca rupees 5,00,000.

40 They shall not grant any loans to an individual, or company, to an amount exceeding at any given time the sum of sicca rupees 1,10,000

41 They shall not grant any loans on the deposit of bank certificates, nor on the security of lands, or other real property

42 They shall be at liberty to purchase the public securities at any future period at their discretion, provided that the government paper in their possession never exceed, at any one time, the sum of sicca rupees 25,00,000, in addition to the amount, which the bank may be required to deposit with government, as a security for the credit given to the bank by the receipt of its notes at the public treasuries

43 The directors shall be restricted from contracting debts by bond, bill, note, or otherwise, to an amount exceeding the capital stock of fifty lacks, and if such debts shall be contracted, the directors contracting them shall be responsible for the excess in their individual capacities, but absent, or dissenting, directors shall not be responsible, provided that they give notice to the proprietors at a general meeting to be summoned for the purpose

44 The directors shall receive deposits of bullion, jewels, and other articles of value which can be easily kept, such deposits to be restored on demand to the proprietor

45 The directors shall also receive deposits of cash; and keep running accounts with merchants and other individuals, but they shall not be at liberty to make any advance, on such account, or to grant any loans without adequate security, such as company's paper
(blank

(blank or specifically endorsed) to an amount at least equal to the loan, or on bullion, plate, jewels, or general goods, not perishable, or liable to great alteration in the value. No advance, however, shall be made on goods to an amount exceeding one-half of their estimated value.

46. Should any person overdraw his account with the bank, he shall be liable to the payment of a fine of one per cent. on the amount of his draft, which shall be charged in his account, and the draft shall be at the same time rejected. This rule shall not, however, be enforced, if such person shall have deposited security, and received the permission of the directors to draw upon the bank.

47. Should the treasurer allow any person to overdraw his account, he (the treasurer) shall be personally responsible for the excess.

48. The bank shall be considered as absolutely precluded from trade, and any directors infringing this fundamental rule, shall be liable to dismissal, and to such other penalties as it may be found practicable to enforce, but this restriction shall not be considered as precluding the directors from receiving articles of merchandize in deposit as security for loans, as specified in clause 45.

49. The bank shall not be allowed to act as agents or brokers for the purchase or sale of company's paper, or goods, or property of any kind, but this prohibition shall not be considered as applying to the sale of paper, or other property, which may be pledged to them as security for loans.

50. The principal officers of the bank, the secretary and treasurer, the head accountant, and the native khazanchy, shall also be re-

stricted from trade; nor shall these officers be allowed to act as agents or brokers, or to engage in any separate business whatever, but they shall strictly confine themselves to their duty as officers of the bank.

51. The directors shall not be at liberty to grant any new loans, or to discount bills, when the cash in hand may not amount to one-third of the amount of the notes, and other claims outstanding payable on demand.

52. The business of the bank shall be confined as much as possible to discounting bills of exchange and other bills, and to granting loans for short periods (adequate security being taken in every instance) for the accommodation of merchants, and the general convenience of the public.

53. The directors shall be required to submit annually to the proprietors, on the first Monday in June, a general account of the transactions of the bank, for the preceding year, to be closed on the 30th of April, and they shall accompany it with such a report as may be necessary for their information. A copy of the account and report, attested by the directors, is to be transmitted annually to government, on, or before, the 15th of June.

54. A general meeting of the proprietors shall be held for taking into consideration the account and report alluded to in the preceding clause, and any three directors shall be at liberty, at all times, to summon a meeting of proprietors for any special purpose, giving not less than fifteen days notice in the Calcutta Gazette.

55. Should the conduct of a director, or any transaction at the bank, or other circumstance appear

to the proprietors (or to any number of them) to render a general meeting of proprietors necessary or expedient, they shall be at liberty (provided the number be not less than ten) to summon a general meeting, by giving fifteen days notice in the Calcutta Gazette.

56 Should the conduct of any of the government directors appear to the proprietors on any occasion of so objectionable a nature as to render it unsafe or improper, that such director or directors should be continued in so important a trust, they shall be at liberty to represent the circumstances of the case to the governor general in council, who will either order the removal of the director or directors, or take such other measures for the satisfaction of the proprietors as may appear to him just and proper.

57. Should it hereafter be deemed advisable to increase the capital stock of the bank, the proprietors shall be allowed to subscribe for the additional stock, in proportion to the interest which they respectively hold in the bank at the time, but should they not avail themselves of this option, a public subscription will be opened for the purpose of raising the funds which may be required.

58 The foregoing plan differing in several respects from the plan under which the original subscription was made, the present proprietors shall be at liberty to withdraw from the establishment, on their signifying their wish to do so on or before the 20th of November next, by a letter, to be addressed to the secretary to the bank, and proprietors so withdrawn, shall receive payment of their subscriptions, with interest at the rate of 10 per cent per annum, to the 1st of December next, when such payment will be

made at the bank to the party or his constituted attorney.

59. In order to provide for filling up the shares which may remain unoccupied by parties so withdrawing themselves, applications in writing will be received by the secretary to the bank, for such shares on or before the 15th November next, and the parties applying shall be admitted to subscribe eventually in the order in which their applications may be received.

60 Subscriptions which may be receivable under the foregoing clause, shall be paid into the bank, on the 30th of November next, in one gross sum, or the sum of 10,000 sicca rupees for each share.

Published by order of the right honourable the governor-general in council

THOS. BROWN.

Chief Sec to Govt

Seringapatam Prize-Money.

Madras, Aug 20 — The honourable the governor in council has been pleased to resolve, that a dividend of Seringapatam prize-money, arising from the value of captured ordnance and stores, and from the balance of prize-property due by the prize-agents, shall be issued in the following proportions corresponding with those distributed at Seringapatam.

<i>Of a Slave. Pagodas</i>			
Nag, sepoy, trumpeter, drummer, black doctor, pioneer, gun lascar, and authorized puckally,			
2-3's of - - - - -	1	12	
Havildar and ad tindal of gun lascars, - -	1	12	
Jemidar, standard bearer, and 1st tindal of gun lascars, - - -	2	36	
Subdar and syrang of gun lascars, - - -	6	108	

Corporals,

<i>Of a Share, Paged.</i>		
Corporal, trumpeter, drummer and private Europeans, - - - -	1	18
Serjeant, - - - -	2	36
Serjeant-major, sub-conductor, sub-assistant surgeon, and park serjeant, - - - -	3	54
Warrant officer comprehending, quarter-master of dragoons, conductor of stores, and provost marshal, - - - -	15	270
Subaltern : comprehending, lieutenant, corner, lieutenant fire worker, ensign, assistant surgeon, adjutant and quarter master, with commissions only as such, - - - -	60	1080
Captain, surgeon, brigade major and de-camp, chaplain and paymaster of parts of the army -	120	2160
Major, deputy adjutant-general, deputy quarter-master-general, judge-advocate-general, paymaster of the army, head surgeon of the army, principal agent for cavalry supplies, deputy commissary-general of ordnance, paymaster and commissary of the Bombay army, Superintending field surgeon of the Bombay army, superintendant of supplies, captain Malcolm commanding the Nizam's contingent, -	240	4320
Lieutenant colonel, adjutant general, and quarter master general to the Bombay army, - - - -	360	6480
Colonel, - - - -	600	10,800
General officers on the staff, - - - -	1500	27,000
Major general Floyd, second in command of the army, and commanding the cavalry, 1-3d more than - -	ditto	36,000
The commander-in-chief, one - eighth of the whole, - - - -		224,907

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The following are the corps, &c. entitled to share.

1st The troops composing the detachments under the command of lieutenant-colonels Brown and Read, who were above the Ghauts on the 5th May, 1793, or who were left on duty in garrison below the Ghauts, captured from the enemy

2d. The Bombay Grenadier battalion

3d. Individuals, whose claims on the prize fund have been admitted by the supreme government, and by the government of Fort St. George

The governor in council has been pleased to establish the following arrangement for the distribution —

All commissioned European officers entitled to share as above, the agents of such officers returned to Europe, the heirs or administrators of such as are deceased, to transmit abstracts in duplicate for their respective shares of prize money to the board of officers assembled at Fort St. George.

The board of officers after comparing those abstracts with the original prize rolls, will pass, by the signature of their secretary, one of the abstracts for payment, deducting all advances of prize property, which may already have been made to the claimant, and return the abstract so passed to the person by whom it was transmitted, who will present it for payment to the nearest military paymaster. The duplicate abstracts to be retained by the board of officers for the purpose of being annexed as vouchers to their final settlement of the prize accounts.

Officers commanding stations, corps or detachments, (or such officers

† T

officers to whom the duty particularly belongs) to make out duplicate abstracts for the European non-commissioned, privates, &c and for the Native commissioned, non-commissioned, privates, &c now alive and in the service, who may be entitled to share in the present dividend of Seringapatam prize money, such abstracts to be transmitted to the board of officers, who will pass them for payment, as above directed, and return one of them to the officers by whom they were transmitted, who will draw the amount from paymasters, and distribute it amongst the claimants.

Committees of European officers to be assembled at every station for the purpose of investigating the claims of soldiers invalided, pensioned, or discharged, and of ascertaining the nearest heirs of deceased soldiers, who were entitled to participate in Seringapatam prize. The proceedings of those committees are to be submitted to commanding officers of stations, by whom they will be transmitted, with abstracts in duplicate, for the amount of the claims, which shall be recognized by the committee, to the board of officers at the presidency, who will pass and return the abstracts for payment, in the manner above directed.

In order to secure the public from being exposed to loss by the introduction of fictitious claims, it is particularly directed, in making out the abstracts, and the proceedings of committees specified in the two last paragraphs, that the greatest attention be paid to the insertion of every kind of information which may tend to establish the claim of each indi-

vidual, where a certificate or other official document, shewing the right of an individual to share in the Seringapatam prize, is produced, the transmission thereof along with the abstracts will be sufficient to establish the claim, unless it can be proved that the claimant afterwards deserted from the service; but where such documents are wanting, the oaths of respectable persons may be taken in support of the claim, and the following particulars, or such of them as can be collected, must be inserted in the abstracts, and in the proceedings of committees, viz

In the case of a soldier now alive, who may still belong to the effective establishment, who has been transferred from one corps to another, or who may have been invalided, pensioned, or discharged, notice must be taken of his name, rank, corps, company, and number, as he stood on the rolls at the period of the capture of Seringapatam, and if he should afterwards have been removed from corps to corps, or been invalided, pensioned, or discharged, the date of such casualty must be inserted.

In the case of claims made by the heirs of deceased soldiers, the particulars (regarding the deceased,) as stated in the preceding paragraph, will generally be required to be inserted in the proceedings of the committees; as also the date of decease, the name of the heir, and the nature of relationship entitling him (or her) to claim the property, with the place of his (or her) present residence.

Military paymasters are hereby directed to discharge all abstracts for

for Seingapatam prize money, which shall have been passed for payment by the board of officers assembled at Fort St. George, and to transmit them to the military paymaster general, who will bring them to account in a book to be opened under the head of "Seingapatam prize."

On a subject of so much importance to the interests of the public and a considerable part of the army, the honourable the governor in council trusts, that the utmost attention will be paid to the foregoing orders, by all officers who may be called upon to carry them into effect.

CIVIL APPOINTMENTS, &c.

BENGAL.

JUNE, 1827

Mr. R. W. Cox, commissioner for superintending the settlement in the ceded and conquered provinces.
 Mr. H. S. G. Tucker, do. do.
 Mr. J. W. Sherer, secretary, and accountant to board of commissioners for do.
 Mr. J. Fortescue, sub-secretary, and sub-accountant to do.
 Mr. W. B. Bayley, Persian and Hindoostanee translator to the commission.
 Capt. J. Baillie, resident at Lucknow.

AUGUST.

Hon. J. E. Elliot, private secretary to the right honourable the governor general.
 Sir G. H. Barlow, chief judge of the courts of Sudder Adawlet, &c. &c.
 Sir G. H. Barlow, president of the board of revenue
 J. Lumsden, esq. president of the board of trade
 Mr. C. Lloyd, collector at Moradabad.
 Mr. W. J. Sands, do. at Bareilly.
 Mr. A. Ross, do. at Allahabad
 Mr. G. Barnett, assistant to collector of Dacca
 Mr. G. Udney, member of the board of trade
 Mr. J. Taylor, attorney to the honourable company

SEPTEMBER.

Mr. Salter, register provincial court of appeal, &c. Benares.
 Mr. D. Scott, register to the court at Goruckpore
 Mr. C. W. Gardiner, assistant to the secretary to government.
 Mr. G. Siddons, assistant to the secretary to the board of trade
 Mr. W. H. Trant, assistant to secretary to the board of commission, in the ceded provinces
 Mr. E. Parker, collector of Jessore.

Mr. H. Dawes, assistant to collector of Nuddea.
 Mr. R. T. I. Glyn, assistant to magistrate, at Benares
 Mr. R. B. Gardiner, assistant to do. at Dacca.

OCTOBER

Mr. J. Winth, second judge of provincial court of appeal, &c. for division of Calcutta
 Mr. D. Campbell, third judge of do. do.
 Mr. A. Wright, judge and magistrate, &c. at Rajeshany.
 Mr. J. Patle, judge and magistrate, &c. at Dinagapore.
 Mr. W. Spedding, do. do. at Cawnpore.
 Mr. J. Wauchop, superintendant of revenues, Delhi.
 Mr. W. Lock, reg. of court of Adawlet, &c. Bundelcund.
 Mr. S. Birá, jun. reg. to court of Adawlet, &c. &c. city of Dacca
 Mr. C. R. Martin, reg. of Adawlet, &c. zillah of Dacca
 Mr. R. Strachey, deputy superintendant at Chandernagore, &c. &c.
 Mr. C. Russell, judge and magistrate, at Cawnpore.
 Mr. C. Elliott, collector at Allyghur.
 Mr. H. Trant, reg. of the courts at Bareilly
 Mr. C. W. Steer, reg. of the zillah court, do.
 Mr. H. Oakley, assistant to collector of the 24 Pergunnahs.
 Mr. H. Wood, head-assistant to accountant general.

NOVEMBER.

Mr. E. Maxwell, register of court of Adawlet, Chittagong
 Mr. R. B. Bennett, assistant commissioner, Rungpore.

Mr.

Mr R. B. Gardiner, assistant to magistrate, city of Dacca
 Mr C. Carey, register of Dewannee Adawlut, &c. &c the Jungle Mohauls.

DECEMBER.

Mr W B Bailey, register of Sudder Dewannee Adawlet, &c &c
 Mr J Walker, deputy reg to do and translator of regulations
 Mr H Turnbull, first assistant to register to do
 Mr W Dorin, second assistant to do.
 Mr H Somerville, collector, Dacca
 Mr J Eiving, register of provincial court of appeal and circuit, Dacca
 Mr J Miller, judge and magistrate, Furruckabad
 Mr C. T. Sealv, do Ramghur.

JANUARY, 1808

Mr J Sandford, judge of the Dewannee Adawlet, and magistrate Bhawalpore.
 Mr W E Wynch, collector of Dinagepore
 Mr J Parr, puisne judge of the court of Sudder Dewannee Adawlet, &c.
 Mr J. Parry, resident at Fort Marlborough
 Mr J Thornhill, acting secretary to government, military department.
 Mr. W Farquhar, acting secretary to the board of trade.
 Mr J. I. C. Plowden, assistant to collector of customs, Calcutta
 Mr W Money, acting assistant to secretary to board of trade
 Mr. H I Colebrook, chief judge of the court of Sudder Dewannee Adawlet, &c and president of the board of revenue
 Mr G I Siddons, assistant to resident at Fort Marlborough.
 Mr. F. Vansittart, collector of government customs, Dacca
 Mr J French, collector, Sylhet
 Mr. J Digby, register of Dewannee Adawlet, &c at Bhaugulpore.
 Mr J S Colebrooke, member of commission for settlement of the ceded provinces.
 Mr. J Deane, do do
 Mr R Ker, third judge of the court of appeal, &c Baicilly

FEBRUARY

Mr. W. Roxborough, superintendant of spice plantation, Sumatra
 Mr. J. Money, acting secretary to board of trade.
 Mr W Farquhar, commercial resident Bauleah.

Mr R. Roche, first judge of appeal and circuit, Calcutta
 Mr C Oldfield, second judge of do. do. Moershrabad
 Mr. G. Strachey, third judge, do do
 Mr. J D Patterson, judge and magistrate, Dacca
 Mr J Rattray, do Dacca, Jhalpore.
 Mr. F Law, judge and magistrate, Jessore.
 Mr R. O Wynne, collector, Chittagong.
 Mr. F Gladwin, commissary resident, Patna
 Mr J G. Colebrook, sen. member of board of revenue.
 Mr F Hawkins, second judge of appeal and circuit, Patna.
 Mr C. Smith, third judge, do. do.
 Mr. J Stuart, third judge, do do. Benares.

Mr S Maccar, judge and magistrate, Benares
 Mr H Parry, do do Nuddeah.
 Hon. J R Elphinstone, do. do Behar.
 Mr R Graham, do do Jaunpore.
 Mr G Oswald, do do Tirhoot
 Mr G Webb, judge and magistrate, Cuttack
 Mr. H Cornish, judge and magistrate, Purneah
 Mr. G Ravenscroft, judge of twenty-four Pergunnahs
 Mr J Donnithorne, collector, Furruckabad.
 Mr. C D Oyle, collector, Dacca.
 Mr C Trower, do Burdwan
 Mr W Armstrong, do Nuddea.
 Mr H T Travers, do Midnapore.
 Mr F Farquier, do Cuttack.
 Mr J. J B Proby, superintendant of stamps
 Capt J. W Taylor, professor of Hindostanee in the college of Fort William.
 Lieut. A Locker, assistant to secretary to the college, and examiner.
 Peter Speke, esq. president of marine board.
 J. Taylor, esq. member of do.
 C Thornhill, do do.
 C H Churchill, paymaster and store-keeper
 Lieut R. Scott, first assistant to master attendant
 Mr. J Colie, second assistant to do.

MARCH.

Mr. H. Shakespear, register zillah court, Nuddea.
 Mr. W. Ewer, do. at Rajahshaye.

Mr.

quent to the 3d of April, 1804, to be recalled; and that each of those Officers be appointed and denominated Lieutenant colonel commandant from the dates respectively on which they were previously promoted to the rank of colonel. Lieut Col John McIntyre, Artillery, Ma 1, 1804

John Gordon, Cavalry, Ditto
Wm. Kirkpatrick, Infantry, June 30.
John Gardner, Ditto Sept 31
Henry De Castro, Ditto Ditto do
Bennet Marley, Ditto Ditto do
William Burn, Ditto Ditto do
Thos Hawkeshaw, Ditto Ditto, 28
Nichol is Carnegie, Artillery, Nov 12
T S Bateman, Cavalry, March 11, 1805
John Horsford, Artillery, August 1
Dyson Marshall, Infantry, October 20.
Dan Cunningham, Ditto, Nov. 14.
Samuel Bradshaw, Ditto, June 12, 1807

The officers thus appointed Lieut. colonels commandant will revert to their relative rank and standing on the list of the army according to the dates of their commissions as lieut colonels.

Dates of rank and standing of the lieut colonels of the regular establishment, whose situations have been affected by the orders of the honorable the court of directors for granting all promotions to the rank of colonel regimentally, since the 30 day of April, 1804

THE REGULAR COLONELS

William Kirkpatrick, January 1, 1798
John McIntyre, Ditto, Artillery
John Gardner, Ditto, Infantry
Henry De Castro, Ditto Ditto
Bennet Marley, Ditto Ditto
William Burn, Ditto Ditto
Thom is Hawkeshaw, Ditto Ditto
Dyson Marshall, Ditto Ditto
Dan Cunningham, Ditto Ditto
John Gordon, Ditto Cavalry
Samuel Bradshaw, Ditto, Infantry.
George Wood, Ditto Ditto
John Haynes, Ditto Ditto
Nicholas Carnegie, January 1, 1800,
Artillery
John Horsford, Ditto Ditto.
John Gordon, Oct 5, ditto, Cavalry
T S. Bateman, Nov. 2, Ditto Ditto.

SEPTENNARY

Senior Major J McGrath, to be lieut col vice Wide, deceased
10th Reg N I Capt D Lyons to be major Capt lieut H Bowen to be capt Lieut F V Raper to be capt. lieut. Ensign R Beecher to be lieut.
6th Reg N I Capt A Adams to be major, vice Benson, invalided. Capt.

lieut S Fraser to be capt. Lieut J. Campbell to be capt lieut Ensign R Basset to be lieut

Ensigns Ensign J H Jones to be lieut Senior Ens T Wilson, to be lieut vice Preston, deceased Capt T Wood, appointed executive officer of Fort William Colonel Alexander Kyd, of engineers to receive charge of the engineer department from lieut colonel Gustin and to have a seat at the military board

OCTOBER

Lieut J. Canning, 27th Reg N I to the command of the Moorshedabad provincial battalion

5th Reg N I Captain R Willoughby, to be major, vice Brennan deceased Capt lieut H Huthwaite, to be capt of a company Lieut G Patrickson to be capt lieut ens go J. Trist to be lieut

7th Reg N I Lieut T Lowry to be capt lieut Ensign D Alexander to be lieut

Lieut General Hewett to be commander in chief in India

NOVEMBER

Senior major J C Mitchell to be lieut colonel, vice Burrows deceased.

14th Reg N I Capt H Imlack to be major Capt lieut J W Taylor to be capt Lieut W Colt to be capt. lieut Ensign W Coles to be lieut.

DECEMBER.

The Reverend R Jeffreys, to be chaplain at the station of Futtighur The reverend W Eales, to be chaplain of the garrison of Fort William Mr S Ludlow, assistant surgeon at the civil station of Banra Mr J J Gibson, to be the assistant surgeon at Rungpore Major James Tetley to be lieut col vice Burrows, deceased.
9th Reg N I Capt lieut W Fogo, to be capt of a company, vice Brown, deceased Lieut F Jernynghough to be capt lieut Ens William H Dixon and William R Hardwick, to be lieuts
11th Reg N I Ens N. De Lusle, to be lieut

21st Reg N I Capt W Nicholl to be major Capt lieut. Cook to be capt Capt lieutenant J Vaughan to be capt. vice Nicholl, promoted. Lieut W. Baker, to be capt lieut Ens D Williamson, to be lieut. Ens. R. B. Wilkins, to be lieut.

23d *Reg N I*—Ens. A. McNeilly, to be lieutenant.

24th *Reg N I*—Ens J Cruikshank, to be lieut. from the 17th November, 1807.

17th *Reg N I*—Capt J Rotton, to be major, vice White, deceased. Capt lieut. J Wells Fast, to be capt. Lieut. L Landeg, to be capt.-lieut. Ens. H B Clough, to be lieutenant.

8th *Reg N I*—Ens J. Fagan, to be lieut.

Dr F Buchanan, to be a presidency surgeon. Capt T Dorelli, to be commissary of stores. Capt J D Sherwood, to be assistant to the commissary of stores.

10th *Reg N I*—Capt.-lieut W Logie, to be capt. Lieut. J Alexander, to be capt.-lieut. Ens J. Crowder, to be lieut. Sen. assist.-surgeon C. Robinson, to be surgeon. Mr. J. J. Jameson, assistant-surgeon.

JANUARY, 1808

Lieut.-col T Hawkins, to be deputy adjutant-general.

16th *Reg Native Infantry*—Capt W Cuppage, to be major, vice Henry, deceased. Cap.-lieut J Wilson, to be captain. Lieut A T Watson, to be captain-lieutenant. Ens G. Kingston, to be lieutenant.

FEBRUARY.

5th *Reg. Native Infantry*—Cap. D. V Kaim, to be major, vice Willoughby, invalided. Capt.-lieut W G Patrickson, to be captain of a company. Lieut G Cooper, to be captain-lieutenant. Ens. A Gordon, to be lieutenant.

8th *Reg N C*—Cornet D Harriott, to be lieutenant, vice Yates, resigned. *Artillery*—Lieut fire worker C H. B ill, to be lieutenant, vice Bromley, resigned.

11th *Reg N I*—Ens. J W Jones, to be lieutenant, vice Squitt, resigned.

16th *Reg N I*—Ens G J Hendy, to be lieutenant, vice Hobkirk, resigned.

17th *Reg N I*—Capt.-lieut J Orrok, to be captain of a company, vice Landeg, invalided. Lieut C. F Stewart, to be captain-lieutenant. Ens J Stewart, to be lieutenant. Major L Barrett, to be Lieut.-colonel, vice. M. Sten, retired.

15th *Reg. N. I.*—Capt. H. Cheape, to be major. Capt.-Lieut. N. P. Grant,

to be capt. Lieut. W Bugh, to be capt.-lieut. Ens G P. Greene, to be lieutenant.

MARCH

25th *Reg N I*—Capt G H. Fagan, to be deputy adjutant-general. Major G D ck, to be lieut.-col. vice Burnett, deceased.

22d *Reg N I*—Capt P Grant, to be major. Capt.-lieut C R ddish, to be captain. Lieut L H Davy, to be capt.-lieut. Ens. R. Nowion, to be lieutenant.

APRIL

1st *Bat 20th Reg N I*—Capt. L. Wiggins, to be supernum. aid de camp to the governor-general.

MAY

Infantry—Lieut.-col G Wood, to be lieut.-col. commandant, vice F. nwick, deceased. Major H Lennon, to be lieut.-col. vice Duff, retired. Major J. Cunningham, to be lieut.-col. vice Wood.

E. R — Capt J. M Weguelin, to be major. Capt.-lieut J D'Broughton, to be capt.-lieut. J Sewart, to be capt.-lieut. Ens M. J Hogg, to be lieutenant.

12th *Reg N I*—Capt.-lieut B Ryan, to be captain, vice Kelly, retired. Lieut P L. Grant, to be capt.-lieut. Lieut C Fag, to be capt.-lieutenant. Ens A Farrier, to be lieutenant.

18th *Reg N I*—Capt J H. Smith, to be major, vice Lennon. Capt.-lieut C Fagan, to be Captain. Lieut W Cothier, to be capt.-lieut. Ens B W Bailly, to be lieutenant. Assistant surgeons, S Durham, J. McDowall, and C Hunter, to be surgeons, vice Stokes and Harper, retired.

19th *Reg N I*—Capt W G Maxwell, to be deputy judge-advocate-general in the field.

JULY

6th *Reg N I*—Capt. M. Mackleod, to command the cadet company. Capt. J Ludlow, to command the Burdwan, provincial battalion.

SEPTEMBER.

Capt.-lieut. J. Sewart, to be captain of a company, vice Weguelin, promoted. Lieut J. Chatfield, to be captain-lieut.

lieutenant. Lieut. E Morris, to be captain-lieutenant, vice Chatfield, deceased. Ens G Walpole, to be lieutenant, vice Stuart, promoted. Ens. M S Hogg, to be lieutenant, vice Walpole, deceased. Ens J Jeffry, to be lieutenant, vice Chatfield, promoted. Ens A Young, to be lieutenant, vice Morris, promoted.

OCTOBER.

Artillery — Major A Hyde, to be lieutenant-colonel, vice Balfour, retired. Cap. G Roban, to be major. Capt.-lieut. W Richards, to be captain of a company. Lieut. W Battine, to be captain-lieutenant. Lieuts F W O Bernard and J. E Debrett, to be lieutenants.

Engineers — Ens Teckell, to be lieutenant, vice Wilson, retired. *14th Reg. Native Infantry*. — Capt.-lieut. W Colt, to be captain of a company, vice Geiard, retired. Lieut. W Ball, to be captain-lieutenant. Ens J Campbell, to be lieutenant. *22d Reg. Native Infantry* — Ensign E T Walker, to be lieutenant, vice McYine, deceased.

NOVEMBER

20th Reg. Native Infantry — Major T Shuldham to be lieutenant-colonel, vice Colebrooke, deceased. Cap U Yuly, to be major. Capt.-lieut. L Wiggins, to be captain. Lieut. J McInnis, to be captain-lieut. Ens. J Brookes, to be lieutenant.

CIVIL APPOINTMENTS, &c.

MADRAS.

JANUARY, 1807

Mr. J Hadow, assistant under the chief secretary to government.
Mr C E Stewart and Mr D Hill, assistants to the collector of Malabar.
Mr. H Vibart, assistant to the collector of the zillah of Gangam.
Mr. H Lord, judge and magistrate of Vellore.
Mr D Craufurd, do do. of Guntoor.
Mr J. Byng, do do. — of Gangam.
Mr. S. Skinner, do. do. — of Rajahmundry.
Mr G F. Cherry, assistant to the register of the Zillah court of Tinnevely.

JULY

Mr. J. Gahagan, assistant under the collector of Canara.
Mr J. H Cassamajor, chief judge of the court of Sudder and Fouzdarry Adawlet.
Mr. E. Wood, register to ditto.

Mr R Meggison assistant to secretary of the revenue board
Mr. H Combe, do do
Mr J Fullerton, deputy-com. resident at Gangam.
Mr T. Terrett, collector at Guntoor.
Mr. E H. Woodcock, assistant to the register of the court of Sudder Adawlet.

AUGUST.

Mr. C Wynox, acting member of the board of trade.
Mr G. Gwatkin, acting secretary, to ditto.
Mr. J. B G. P Paske, assistant to secretary to government.
J. Strange, esq 1st judge of provin. court of appeal and circuit for S. division.
Mr. G. Maidman, commandant resident at Masulipatam.
Mr. J Fullerton, do Maddepollam.
Mr. J. W Sydenham, register to court of requests.

Mr.

Mr S A. Brown, coroner of Madras

SEPTEMBER.

Mr J. M. Nichols, assistant, to coll. Timmivilly
Mr. R. Bayard, assistant to chief secretary to government.
Mr J. W. Cunliffe, do to do
Mr C Roberts, assistant to secretary to the board of revenue.

OCTOBER.

Mr. G. Garrow, acting-superintendent of police
Mr. C. Maudman, deputy commissary resident, Ingeram.
Mr M T Harris, deputy revenue accountant
Mr T Fitzgerald, deputy commissary resident, Vizag
Mr R. Peter, assistant to collector, Madurai.
Mr. C. Woodcock, judge and magistrate at Combaconam
Mr C Roberts, assistant to collector, Arcot.
Mr. J. H. D. Ogilvy, general salt agent.
Mr C Harris, second judge of court appeal and circuit, for the centre division
Mr J Babington, register, zillah court, Trichinopoly
Mr J Munro, do Kodecondah.
Mr. J. Gahagan, assistant to register to zillah court, Mangalore.

NOVEMBER.

Mr. E. Gahagan, collector, Bellary.
Mr. W. Chyplin, do Cuddapah.
Mr. N. Shaw, do Kodecondah.
Mr. A. Wilson, judge &c. Onore.
Mr G W. Saunders, register, zillah court, Vellore
Mr F. Strichan, do. Salem
Mr. J. B. Huddleston, do. Tinnevely.
Mr J F Lane, assistant, do. Chittoore
Mr P Salter, master-attendant, Cochin.
Messrs W M Taggart and J K. Lane, commissioners of Madras lottery.
Messrs. Hefker and son, agents to do
Mr J. H. D. Ogilvie, collector, Madras
The honourable L. G. K. Murray, salt agent.

Mr H. Clephane, acting judge, circuit of appeal for western division
Mr T H Baker, acting judge, &c. Tillicherry
Mr E Powney, do. for south division
Mr J Sullivan, assistant to chief secretary to government
Mr J Babington, Malabar translator to government

DECEMBER

Mr. S. T. Goad, second member of commission for investigating nabob's debts
Mr H Russell, third member, do
Mr J W Miller, sheriff of Madras
Mr J Babington, assistant to salt agent
Mr J A Oakes, subordinate collector, Coimbatore
Mr W O Shakspeare, register zillah circuit, Trichinopoly
Mr A H Kelko, judge and magistrate, Mangalore.

JANUARY, 1898

Mr J Greenway, commissioner of court of request
Mr A Shingaby, assistant commercial resident Masulipatam
Mr R B Honyman, assistant to principal collector, Coimbatore
Mr J Munro, register zilla court, Arcot
Mr C Fullarton, do. Cuddapah

FEBRUARY

Mr G F Travers, collector, Kodecondah
Mr C H. Haggison, judge and magistrate, Masulipatam
G Suachey, esq private sec. to the governor.

MARCH.

Mr Mackdonald, assistant to secretary to government, in the revenue and judicial department.
Mr W Cook, acting collector of government customs
Mr R. Clarke, assistant
Messrs Thackeray, Babington, and Clarke, members of the grain committee
Mr F W. Robertson, deputy commercial resident, Masulipatam.
Mr R Haggison, assistant to collector, Cuddapah.

Mr.

Mr. J. O. Tod, acting judge at Masulipatam.

APRIL

Mr. W. Saunders, assistant to collector government customs.

Mr. H. R. Oakes, acting register, zillah court, Madura.

Mr. G. W. Cunliffe, assistant to register of the sudder and Fouzdary Adawlet courts

MAY

Mr. J. Hadow, second assistant to collector of government customs

Mr. T. Gabagan, assistant to secretary board of revenue

Mr. S. Skinner judge and magistrate, Rajamundry.

Mr. C. M. Lushington, register to zillah court, ditto.

JUNE

Mr. R. Douglas, commissary resident, Ingirum.

Mr. J. Munro, examiner under secretary to government

Mr. H. Gabagan, coroner of Madras

Mr. G. Garrow, collector, Trichinopoly.

JULY

Mr. W. Campbell, assistant to chief secretary to government in political and foreign department

Mr. M. D. Cockburn, do

Mr. A. D. Campbell, assistant secretary to board of revenue.

SEPTEMBER.

Mr. J. A. Drummond, assistant to the collector at Coimbatore.

Mr. E. Snially, assistant under the secretary to the board of revenue

Mr. J. M. Heath, do do

Mr. E. Woodcock, fixed examiner under the secretary to government in the revenue and judicial departments

Mr. T. Gabagan, do. do under the secretary to the board of revenue.

Mr. A. R. M. Donell, assistant under the secretary to the court of Sudder Adawlet and Fouzdary Adawlet.

Mr. Thomas Newnham, judge and magistrate and collector of the revenues for the town and island of Seringapatam.

OCTOBER.

Mr. J. Collins, commercial resident at Maddaepollam

Mr. E. Smalley, assistant under the collector of Tanjore

Mr. M. Brown, acting-superintendent of the custom department in Malabar

Mr. M. D. Cockburn, assistant under the judge at Verdachellum

Mr. T. H. Baber, acting second judge of the provincial court of the western division

Mr. Joseph Dacre, register to the provincial court of the centre division.

Mr. H. G. Keene, second assistant to the register to the court of Sudder Adawlet and Fouzdary Adawlet

Mr. W. Dodwell, deputy commercial resident at Maddepollam

Mr. J. Cotton, senior assistant under the collector of Tanjore

Mr. J. Harrison, assistant under the secretary to the board of revenue.

Mr. F. A. Grant, collector of land customs

Mr. W. Cook, collector of sea customs

Mr. G. J. Hadow, assistant under the collector of sea customs

Mr. W. Sanders, deputy collector of land customs.

NOVEMBER.

Mr. A. Brooke, deputy commissary resident, Salem.

Mr. R. Alexander, second member board of revenue.

Mr. G. F. Travers, collector, Ganagam

Mr. F. W. Robertson, assistant to collector, Masulipatam

Mr. J. W. Cunliffe, fixed examiner in the sudder court

Mr. E. L. Greenway, superintendent of stamps

Mr. J. Munro, register zillah court, Salem

Mr. H. R. Oakes, register zillah court, Madura.

MILITARY PROMOTIONS, &c.

MADRAS.

JUNE, 1807.

Lieutenant-colonel John Doveton is removed to the 4th regiment of Native cavalry, and lieutenant-colonel Augustus Floyer to the 3d regiment of Native cavalry from this date

Capt W M'Pherson of his majesty's 12th regiment of foot, to be aid de camp to major general Macdowall Lieutenant Coombs, of the 25th regiment of Native infantry, to be deputy judge advocate in Mysore Lieutenant Palmer of the 35th regiment of Native infantry, to be adjutant of the 2d battalion of the corps Mr A Penn, conductor of ordnance, to be deputy commissary of stores. Lieutenant colonel O' Reilly of the 12th regiment of Native infantry, to command the garrison of Sankerrydroog Captain Butler of Invalids, to command the escort of the resident of Tanjore Colonel Haie, H M 22d L D to command the garrison of Nundidroog

3d regiment Native Infantry.—Ensign Fyfe to be lieutenant, vice Binney, deceased

9th regiment of Native Infantry.—Ensign I Rogers, to be lieutenant, vice Pagan, resigned.

Mr assistant surgeon Kelly from the Presidency general hospital will do duty under the assistant surgeon, present with H M's 94th foot, during the indisposition of Mr surgeon Smith. Mr assistant surgeon Sladen is posted to 2d battalion 20th native regiment Assistant surgeon Stuart to proceed to Trichinopoly Sub-Assistant Surgeon Butler is stationed at the Presidency General Hospital.

Mr. T Chase, to be paymaster and garrison storekeeper, at Vizagapatam, vice Jackson deceased

Captain P G Blair, of artillery, to be commissary of ordnance with the S F of Hydrabad

JULY

Senior Major of Infantry Hugh Buchan from the 22d regiment of Native infantry to be lieutenant colonel, vice Macpherson, deceased

22d N I.—Capt W P Hentland to be major Captain lieutenant J. Lindsay to be captain Lieutenant W Hankins to be captain-lieut and ensign E Y. Hancock to be lieut

Senior Lieut-col of Infantry Aldwell Taylor to be Lieut-col commandant, of the Madras European reg vice Richardson, promoted to the 9th reg N I former Major of Infantry, Thomas Marriott, from the 25th reg. to be lieut-col vice Taylor, promoted

25th reg N I.—Capt T. Gurnel to be Major, vice Marriott, promoted Capt-lieut R Davis to be capt of a company Lieut J. M Coombs to be capt-lieut Ensign J Willows to be lieut.

Major-general Sir W Clarke of his Majesty's service to be a major-general on the staff of the army of Fort St George, from the date of his arrival. Major-general Campbell to command the forces in Mysore, vice Macdowall, promoted Major-general Sir William Clarke to command the forces in the ceded districts, vice Campbell, transferred.

Artillery.—Major J Scott to be lieut-col. Capt S Dalrymple to be Major. Capt-lieut. Alured Gibson to be capt.

of

of a company, and lieutenant W. Morrison to be captain-lieutenant.

AUGUST.

10th Reg. N I—Capt. lieutenant W. C. Fraser to be capt. of a company. Lieut. H. G. A. Taylor to be capt. lieutenant. Ensign H. G. S. Crossdale to be lieutenant. Lieut. R. Gwynne to be adjutant of the 1st bat.

The following gentlemen Cadets promoted to the rank of Ensigns.

<i>Names.</i>	<i>Date of Rank</i>
Messrs J W Moncrieff,	17th July, 1805.
" Arthur Haultain,	27th June, 1806.
" J Boles	- ditto
" G. Roberts	- ditto
" H. W. Byrn	- ditto
" J Burnside	- ditto
" C. Brumfield	- ditto
" William Abbey	- ditto
" E. Leigh	- ditto

Lieutenant-col. Capper to command at Tinnevely.

Officers are posted to corps as follows.

2d bat. 2d N R—Ensign H. W. Byrn, late promotion.

1st bat. 3d N R—Lieut. col. Innes from the 2d N R.

1st bat. 9th N. R.—Lieut. T. D. Burnett from the 2d bat. and ensign J. Boles, late promotion.

2d bat. 9th N R.—Ensign W. Williamson, junior, late promotion.

2d bat. 10th N R—Capt. C. Saltwell from 1st battalion.

2d bat. 11th N R—Ensign J. Burnside, late promotion.

2d bat. 12th N R.—Ensigns J W. Moncrieff, and George Roberts, late promotion.

1st bat. 13th N R.—Ensign C. Burnfield, late promotion.

2d bat. 18th N R.—Captain J Hay from 1st bat.

2d bat. 20th N R.—Ensign T. Clifton, late promotion.

2d bat. 21st N R—Ensign W. Abbey, late promotion.

2d bat. 22d N R—Lieutenant-col. Buchan, major Herland, and ensign E. Leigh, late promotion.

1st bat. 24th N R.—Lieut. col. Marriot, late promotion.

2d bat. 24th N R.—Ens. C. Haultain, late promotion.

Assistant surgeons T. Sotten, C. Spiers, W. S. Anderson, W. Tolme, J. Norris, and J. Jones, are stationed at the Presidency general hospital.

Lieut. Prendergast, H. M.'s 84th reg. to be aid-de-camp to major-general Sir William Clarke.

9th Reg. N I—Ensign J. Boles to be lieutenant vice Porter, promoted.

12th Reg. N I—Ensign I. W. Moncrieff to be Lieut. vice Cook, deceased.

24th Reg. N I—Ensign A. Haultain to be Lieut. vice Tichborne, deceased.

1st bat. 3d Reg—Lieut. Colonel Grant from the 16th Reg.

2d bat. 6th Reg.—Lieut. col. Capper from the 16th reg.

1st bat. 16th Reg—Lieutenant-colonel Innes from the 3d reg.

Artillery. 1st bat. Capt. Lieut. Morrison 2d bat. Lieut. col. Scott, and major Dalrymple.

Infantry. 2d bat. 6th regt. Lieut. Golding 1st bat. 10th regt. Lieut. col. Webber, from 2d regt. 1st bat.

10th regt. Lieut. col. Nash, from 10th regt. Assistant Surgeon T.

Sutton, to do duty with H. M.'s 91th. Assistant surgeon Kellie, to the Hydrabad Subsidiary force.

Assistant surgeon W. S. Anderson, to the ceded districts. Assistant surgeon Stewart, with H. M.'s 69th regt.

Surgeon M. Condner, from the 4th regt. N. I. to do duty under the surgeon in the ceded districts.

Assistant surgeon Gibbons, from the Madras European regiment, to the 2d bat. 4th regt. N. I.

2d Reg. N. I. Lieut. M. Moncrieff, to be capt. lieutenant vice Read deceased, and cornet E. Wallace, to be lieutenant.

7th Reg. N. I. En. Myers, to be lieutenant.

8th Reg. N. I. En. Ridley to be lieutenant.

10th Reg. N. I. En. Malby to be lieutenant.

12th Reg. N. I. En. S. W. Steel, to be lieutenant.

16th Reg. N. I. En. J. E. Bolton, to be lieutenant. Lieut. Fan, of the 5th regt. N. I. to act as adjutant to the 1st bat. of that corps.

Capt. Cotgrave, of Engineers, to be superintending engineer in the Northern Division of the army. Lieut. Ravenshaw, to be engineer in Malabar and Canara.

Lieut. Cleghorn, to be engineer at Vellore, Arcot, Chittoor and their dependencies.

Capt. J. W. Whyte, of the 13th Reg. N. I. to be major of brigade.

gade, to the troops at Bangalore.
 Lieut Cunningham, of the 13th regt
 N I to be deputy judge advocate in
 the Southern division of the army.

SEPTEMBER

Lieut. General Hay Macdowall, to com-
 mand in chief the army of this presi-
 dency Capt. Warren of H M's
 33d reg and capt P Brown of the
 hon company's service, to be aides-de-
 camp to the governor. Capt. Lieut.
 Morrison, of artillery, to be military
 secretary to the governor.

OCTOBER.

Lieut. colonel Charles Corner, 19th
 regiment native infantry
 Captain A. Molesworth, 5th regiment
 Native infantry
 Captain T. Stewart, 9th reg. N I.
 Lieut T Darke, 4th regiment Native
 cavalry.
 Lieut T. Hodson, 22d regiment Native
 infantry
 Lieut W Tytler, 6th regiment Native
 infantry.
 Captain W McPherson, of H M.'s 12th
 regt to be Military Secretary to the
 officer commanding the army Capt
 W. C. Campbell to be assistant adju-
 tant general in Mysore. Captain G.
 Warburton to be paymaster, &c. at
 Hyderabad, and captain F Thompson
 to be barrack master in the presidency
 division Major general Pater, to be
 of the staff Captain Stewart, 9th
 regt native infantry, to be aid-de-
 camp to general Pater

NOVEMBER.

2d Reg. N C—Cadet D Macqueen, to
 be cornet, vice Wallace, promoted.
 8th Reg N C—Cornet C. B Darby
 to be lieut vice Barnaby, deceased. Ca-
 det W T Greaves to be cornet.
 10th Reg. N I—Captain M. Hawes, to
 be major, vice Shaw, retired. Captain
 lieut. W. C. Fraser, to be captain.
 Lieut H G. A Taylor, to be capt-
 lieut and Ens H. G. S. Crossdale, to
 be lieut Lieut J. Kirwan to be
 capt-lieut and Ens. W. Richardson
 to be lieut
 21st. Reg N.I—Capt-lieut D. Machav,
 to be capt. vice Wright, deceased.
 Lieut H Bowdler to be capt.-lieut.
 and Ens. J. Webster to be lieutenant.

Lieut John Inglis to be adjutant of
 the 2d bat. 10th reg. Native infantry.
 Capt. Fitzjean, H M's reg. De Mue-
 ron, to command the invalids at Chin-
 gleput

DECEMBER

Major R. Barclay, 11th reg Native
 infantry, to be military secretary to the
 hon the governor.
 The following gentlemen cadets to be
 Ensigns.

Mr W. W Jeffery,

" P Snowden,

" L Dowton,

" P. Graves,

Lieut-col F. Capper, 16th reg Native
 infantry, to be adjutant general of the
 army Major T Boles, 3d reg. Native
 infantry, to be deputy adjutant gen-
 eral of the army Capt S Macdowall,
 18th reg. Native infantry, to be assist-
 ant adjutant general of the army.
 Lieut H Scott, 20th reg. Native
 infantry, to be major of brigade to the
 forces in Travancore. Lieutenant C.
 Brooke to be adjutant, 2d bat 20th
 reg. of Native infantry Major gen.
 Sir W. Clarke to command the forces
 in Mysore Major general Pater to
 command the forces in the ceded dis-
 tricts Lieut G. Hunter to be adju-
 tant, 2d bat. 3d reg. Native infantry
 Lieut. J Shaw to be adjutant, 1st bat.
 of the 17th reg. Native infantry.

JANUARY, 1808

Captain Webster, 4th reg N. I. to be
 assistant adjutant general in Mysore,
 and capt Campbell, 3d reg. N C.
 to be assistant adjutant general, in the
 ceded districts Lieut F Monteith,
 to the corps of engineers. Lieut-
 J S Fraser, 18th reg N I. to be
 aid-de-camp to the hon. the governor.
 Mr. assistant surgeon H William-
 son to be surgeon, vice Todd, invalided.
 Mr A S D Ainsie to be surgeon,
 vice White, struck off Mr A S.
 Jeffries to be surgeon, vice Spalding,
 invalided

N C—Major R Doveton, to be lieut -
 col vice L Baillie, deceased

3d Reg N C.—Capt J Nuthull, to
 be Major, vice Doveton, promoted.
 Capt-lieut C. Stuart, to be capt of
 a troop. Lieut. C Rider, to be capt-
 lieut Cornet A. S. Barlow, to be
 lieut.

FEBRU-

FEBRUARY

Major J Nagle, 4th N. R. to be lieutenant vice A Macleod, deceased

4th Reg N I — Capt G. A. Muir, to be Major. Capt-lieut. G Birch, to be capt. Lieut. W. McDonald Robertson, to be capt. Lieut and ensign A Hammond, to be lieutenant vice Nagle, promoted. Mr W H Ridding, to be Ensign. Lieut A Stock, 4th Reg. N I to be deputy secretary, vice Morison. Lieut. Balmain, 6th Reg. N C to be assistant under the secretary. Lieut. T Hodgson 22d reg N. I to be fort adjutant of Cannonnore, vice Turner. Cornet J. Locke, to be Lieut 2d reg —
Artillery.—Lieut. F W I Brett to be lieutenant, vice Barton promoted. Lieut. F J J Paske to be Lieut. Lieut. F. J. N. Abby to be Lieut.

MARCH.

7th N I — Capt J F Wright to be Major, vice Jones deceased. Capt. Lieut A Balman to be capt. Lieut G Jackson to be capt. lieutenant. Ens. M Morley to be lieutenant.
22d N I — Ens J. Crichton to be lieutenant Capt G E Barlow, H M. 24th reg. to be aid-de-camp to the governor

MAY

Major P Walker, 8th N C to be lieutenant col. Capt-lieut. H. M West to be capt. of a troop. Lieut. A M Barnaby to be capt-lieut. Lieut. A McLeod to be capt-lieut. vice Barnaby, deceased. Cornet W. D Bushy to be lieutenant.
 Major J. Nagle to be lieutenant-colonel of infantry
 Major A. M'Farlane, to be lieutenant colonel
5th Reg Native Infantry. Capt. Mc Gregor to be major. Capt. lieutenant J. Hankin to be captain. Lieut A R Hughes, to be captain-lieutenant. Ensign G I. Horn, to be lieutenant
 Major A. Maitland to be lieutenant-colonel.
6th Reg Native Infantry. Capt H. Evans, to be major. Captain lieutenant R. Porminter, to be captain lieutenant. Ensign G Lewis, to be lieutenant.
 Major B. Harris, to be lieutenant-colonel.
9th Regiment Native Infantry. Capt. J. Dickson, to be major. Capt-lieut. Porter, to be captain. Captain F.

Fraser, to be major. Capt. lieutenant G. Sindford, to be captain. Lieut R. Bye, to be capt lieutenant. Ensign G. Norman, to be lieutenant.

22d Regiment Native Infantry. Capt. J De Morgan to be major. Capt. lieutenant V Hawkins, to be capt. Lieut. G. Monier, to be captain-lieutenant. Ensign P Conner, to be lieutenant.
 Major-general D Campbell, placed on the retired list, vice Collins deceased. Lieut-col. K Macchister, lieutenant-col. commander, vice Campbell. Major G Rowles, N C to be lieutenant-col.
3d Regiment Native Cavalry. Capt. J Russell, to be major. Capt lieutenant. W C Campbell, to be captain. Lieut H Rainsford, to be capt. lieutenant. Cornet J Boyn, to be lieutenant

JUNE

Lieut Anderson, 5th reg R N. I to be adjutant. Lieut. Kitson, 12th R. N I to be adjutant.
25th Reg Native Infantry. Capt. Q. H A Purchas to be captain. Lieut I. H Palmer, to be captain-lieutenant. Ensign Young, to be lieutenant.
Artillery. Senior lieutenant fireworker, F. Aldwinkle to be lieutenant, vice Mackintosh transferred to the corps of engineers. Capt-lieut J C Francis, to be captain of a company, vice Kingsley, deceased. Lieut. J. Moorhouse, to be captain lieutenant. Lieut fireworker, C R M'Causland, to be lieutenant. Madras E. R. Ensign W Fenwick, to be lieutenant, vice Smith, deceased.
15th Native Reg. Ensign Bond to be lieutenant, vice Allen deceased. Ensign T Casey, of the 14th regt of Native infantry, to be lieutenant. vice Bazley, deceased. Mr. surgeon John Hay, to be garrison surgeon at Tranquebar.

SEPTEMBER

20th N. Reg — Captain-lieutenant L. S Smith, to be captain of a company, vice Rand, deceased. Lieutenant T. Vincent, to be captain-lieutenant, and ensign Inglis, to be lieutenant.
7th N Reg. Ensign E. Flott, to be lieutenant, vice Ash deceased. Major G. Macgregor, of the 5th regt. N. I. to command the garrison of Cuddalore and the cadet company. Capt-lieut. G. Cadell, of the 12th N. I to be town major of Seringapatam, vice Rand deceased, and lieutenant J W. Moncrief to be Fort adjutant of that station.

station. Major H. Hall, to be lieutenant. vice Buchan, deceased.

2d Reg. N. I.—Captain T. Steele to be major. Capt.-lieut. J. Pepper to be capt. of a company. Lieut. F. W. Wilson, to be capt.-lieut. and ensign H. W. Byrn to be lieut.

15th Reg. N. I.—Ensign W. Herring, to be lieut. vice Taylor, deceased.

OCTOBER

Eur. Reg.—Ensign P. H. Newall to be lieut. vice Andrews, transferred to the non-effective establishment

2d Reg. N. I.—Ensign G. Field, jun. to be lieutenant, vice Reid, deceased.

19th Reg. N. I.—Senior Ensign H. Dowden to be lieut. vice Thompson, deceased.

24th Reg. N. I.—Ensign J. R. Godfrey, to be lieut.

NOVEMBER

Lieut. H. Scott, *20th reg. N. I.* to be assistant quarter-master-general in the Northern division, vice Vernon, promoted. Lieut. W. Kelso, *19th reg. N. I.* to be brigade major to the force in Travancore, vice Scott. Capt. A. Balmain, *7th reg. N. I.* to act as assistant quarter-master-general in the Southern division, vice Kelso, removed.

CIVIL APPOINTMENTS.

BOMBAY.

F. Warden, Esq. chief secretary to government

R. T. Goodwin, Esq. secretary to government in public revenue and judicial department.

G. C. Osborne, Esq. do to do. in secret, political, and foreign department.

W. Newnham, Esq. do to do. in military and commercial department.

H. R. Whitcombe, Esq. garrison pay-master

L. Ashburner, Esq. mayor of Bombay.

D. Richardson, Esq. sheriff.

C. J. Rich, Esq. resident at Bagdad.

J. Kay, Esq. acting deputy accountant general.

J. H. Crawford, acting first assistant to do.

James Hallett, Esq. judge and magistrate at Tanneh, vice Hays, deceased

John Williams, Esq. secretary to the military board, vice Hallett.

W. Newnham, first assistant to the military board, vice Williams.

MARINE APPOINTMENTS.

Capt. J. D. Beaty, captain of Mazagon dock

G. Legg, Esq. marine pay-master, and store-keeper

Lieut. Michie, boat master.

Mr. T. S. Price, second lieutenant.

Captain Budder, commodore at Surat.

Captain Keys, to command the *Mornington*

Lieutenant J. Maughan, to command the *Benares*

Jun. captain J. Hayes, to be sen. capt. First

First lieutenant S. Snook, to be junior captain.

Second lieutenant T. Blast, to be first lieutenant

Mr. J. Arthur, midshipman, to be second lieutenant.

Junior captain, E. Lowes, to be senior captain.

First lieutenant J. Jeaks, to be junior captain

Second lieutenant J. Harriot, to be first lieutenant

Mr. A. Seymour, midshipman, to be second lieutenant.

MILITARY PROMOTIONS.

JUNE.

Major A. Bethune to be lieutenant-col. Capt. J. Dufry to be major. Capt. lieut. G. Midford, captain. Lieut. F. Staunton captain-lieutenant. Ensign Rose, lieutenant

Capt. lieut. T. Thatcher to be captain. Lieutenant B. W. D. Sealy, to be captain-lieutenant. Ensign A. Montgomery to be lieut.

JULY

Lieutenant-colonel R. Hunt, to be lieutenant-colonel. Brevet major R. Lewis to be major. Captain H. S. Osborne to be major. Captain-lieut. C. Browne, to be captain. Lieutenant J. Mackenzie, to be captain-lieutenant. Ensign F. J. Harrison, to be lieut.

Major A. Spencer, to be lieutenant-colonel. Captain W. Boys, to be major. Captain-lieutenant J. B. Watson, to be captain. Lieutenant A. Ha., to be captain-lieutenant. Ensign J. Keith, to be lieutenant

Capt. Carpenter, to be assistant in the office of the adjutant-general.

AUGUST.

Engineer Corps.—Lieut. colonel W. H. Blachford, to be lieutenant-colonel commandant, vice Bland deceased—

Infantry.—Lieutenant-colonel Andrew Anderson to be lieutenant-colonel commandant, vice Bannatyne.—Date of rank, 14th July, 1806

SEPTEMBER

Lieutenant Marshall, second battalion 9th N. I. to be barrack master at Goa.

OCTOBER.

Captain A. Hay, to be acting military auditor-general, vice Oakes resigned.

Ensign S. Hallifax, to be lieutenant. Ensign W. Spiller to be lieutenant, third N. I. Ensign W. Eckford to be lieutenant, 9th N. I. Lieutenant A. B. Campbell, 9th N. I. to be deputy commissary of stores.

DECEMBER.

Lieut. R. Campbell, second battalion 9th N. I. to be lieutenant to that corps. Ensigns T. A. Cockran, and A. W. Brown, to be lieutenants, sixth reg. N. I. Captain G. Bellasis, to be acting brigade-major at Poonah

FEBRUARY

Lieut. Danl. Bellasis to be an Assistant in the office of the quarter master-general. Major W. Campbell, H. M. 78th regiment, to be Military Secretary to the Governor. Capt. Eyre, to command the Governor's body guard. Lieut. Elderton, 2d battalion 7th Nat. Inf. to be linguist in the Marhatta language, to the corps, and Lieut. Lamu to the same situation in the 1st of the 8th Nat. Inf. Major General R. Jones, to command the army on the Bombay Establishment. Lieut. Col. G. Holmes to command the subsidiary force in Guzzerat. Major General and Lieut. Col. R. Jones to be Colonel, vice Bellasis, deceased. Major J. Griffiths to be Lieut. Col. Capt. S. Carter to be Major. Capt. Lieut. G. B. Bellasis, to be Capt. Lieut. E. S. Clifton, to be Capt. Lieut. Surgeon J. Thorpe, to be 2d member of the medical board.

MARCH

Capt. D. Muston, H. M. 86th reg. to be Secretary to the commanding officer of the forces.

15th Reg. Capt. D. Mahony to be Major. Capt. Lieut. T. Staunton to be Capt. Lieut. B. Dutton to be Capt. Lieut. Ensign G. Wilson, to be Lieut. Major

Major General Macpherson, to be a General on the Staff. Lieut. Col. J. W. Morris to command the garrison of Tannah. Lieut. Col. A. Spens, to be Col.

4th Reg. Capt. W. Boye, to be Major. Capt. Lieut. J. B. Watson, to be Capt. Lieut. A. Hay, to be Capt. Lieut. Ensign J. Keeth to be Lieut. Major J. Skelton, to be Lieut. Col.

5th Reg. Capt. J. Harding to be Major. Capt. Lieut. G. Brown to be Capt. Lieut. J. Sutherland, to be Capt. Lieut. Ensign P. Kirk, to be Lieut. Lieut. G. A. Logie, to be Capt. Lieut. Ensign G. A. Rigby, to be Lieut.

2d Reg. Ensign G. Bolderson, to be Lieut.

3d Reg. Ensign E. Towsay, to be Lieut. Lieut. K. Egan, to be Capt. of a company. Ensign H. Parker to be Lieut. Ensign T. Gordon, to be fort adjutant at Surat. Senior Assistant Surgeon R. Hoyes to be Surgeon. Assistant Surgeon D. Campbell, to be acting surgeon. Assistant Surgeon Davis, to be surgeon. Lieut. C. M. Leckie, 5th regiment Native Infantry to be Major of Brigade to General Macpherson. Ensign D. C. Evans, to be Fort Adjutant at Tannah.

APRIL.

Lieut. W. Watts, 4th regiment Native Infantry, to be Assistant to the resident at Muscat. Lieut. fireworker W. G. White, to be Lieut.

MAY.

Lieut. Elderton, 7th regiment Native Infantry, to be linguist in Hindoostanee to that corps. Lieut. R. Logie to be commissary of Bazaars at Goa. Senior Major M. Bratton, to be lieut. col.

3d Reg.—Captain W. Roome to be Major. Capt. Lieut. W. Carpenter to be Capt. Lieut. H. Tovey to be capt. Lieut. Ensign E. Towsey to be lieut.

5th Reg.—Ensign A. M. Tavish, to be lieut.

AUGUST.

Lieut. Bagnold to be linguist in the Hindoostanee and Mahratta languages, to 2d bat. 3d N. I. and lieut. Eckford to be linguist in the Mahratta language to the 1st bat. 9th N. I.

SEPTEMBER

8th Reg.—Ensign C. Le Maître to be lieut.

OCTOBER.

Major General S. W. S. Waddington, the senior col. at present on the list of the army, to come on the retired list, vice Brownrigg, deceased. Lieut. col. Charles Boye, to be lieut. col. commandant, vice Waddington. Sen. Major Thomas Munn, to be lieut. col. vice Boye, promoted.

6th Reg. Senior capt. J. Smith, to be major, vice Munn, promoted. Capt. lieut. Thomas T. Roberts, to be capt. of a company, vice Smith, promoted. Lieut. George Wilson, to be captain. Lieut. vice Roberts, promoted. Ensign John C. Hawkes, to be lieutenant vice Wilson, promoted. Cadet Mr. Ferdinand Price, to be Ensign in the engineers.

16th E. R.—Cadet J. Little to be ensign, vice Crozier, promoted.

17th.—Cadet And. Robinson, to be ensign, vice Cheyne, promoted.

1st N. R.—8th Cadet James William Falconar, to be ensign, vice Jones, promoted. 12th Cadet W. S. W. H. Baker, to be ensign, vice Herbert, deceased.

2d N. R.—2d Cadet Sam. Bertie Ambrose, to be ensign, vice Hicks, promoted. 3d Cadet Benj. Soppall, to be ensign, vice Boulderson, promoted.

3d N. R.—7th Cadet William McDonnell, to be ensign, vice Towsey, promoted. 13th Cadet William Grimaldi, to be ensign, vice Gillum, promoted.

4th N. R.—10th Cadet T. Edw. Baynes, to be ensign, vice Traplert, deceased.

5th N. R.—5th Cadet S. Taylor, to be ensign, vice Rigby, promoted. 11th Cadet George Sandes, to be ensign, vice M. Tavish, promoted.

6th N. R.—5th Cadet James Clement Page to be ensign, vice Hawkes, promoted.

15th Cadet John Clunes, to be ensign, vice Harris, deceased.

7th N. R.—1st Cadet Hen. Stafford Waddington, to be ensign, vice Walker, promoted.

6th Cadet Anthony Seymour, to be ensign, vice Wood, promoted. 14th Cadet Wm. Graham, to be ensign, vice Roome, promoted.

Marine Bat.—12th Cadet R. Sutherland, to be ensign, vice Parker, promoted. Captain M. Innes to be private secretary to the governor.

Lieut. Robert Campbell, to act as

Aid de-camp to the hon the governor.
 Mr. Robert Ibbetson, to be assistant
 in the collector's office.
 Mr. Quintin Dick Thompson, to be
 paymaster, and commissary of pro-
 visions and petty stores.
 Mr John Macalister, to be assistant
 collector of customs and land revenues
 at Malacca.

Mr William Bennett, to be assistant to
 the ware-house keeper The office of
 deputy warehouse-keeper is abolished
 from the 1st of the ensuing month
 Henry Shephard Pearson, Esq to be
 warehouse-keeper and paymaster.
 Mr J C Lawrence, to be acting Ma-
 lay translator to government.

NAVAL APPOINTMENTS.

By Sir E. PELLEW, Bart. &c. &c.

Capt Buck of the Rattlesnake to the
 Powerful

Lieut. Flint, of the Culloden, to be
 commander of his Majesty's Sloop
 Rattlesnake

Captain Wells of the Victor, to the
 temporary command of his Majesty's
 ship Duncan

Lieut Groube, of the Culloden, to be
 commander of his Majesty's sloop
 Victor.

Lieut. O Owen, to be commander in
 the navy, and governor of Madras
 hospital

Mr W. B Dashwood, to be lieut. of
 the Culloden.

Mr. Charles Pantin, do of the Power-
 ful

Mr. Edward Bingham, do. of do

Mr. M. M. Kelly, do of the Pitt

Mr J. G. Aplin, do. of the Arrogant,

Mr H J Sweedland, do. of the Rat-
 tlesnake.

I. A. PIEDMONTESE

Capt. Foote, of the Wilhelmina, to be
 Captain

Lieut Tippet, do first Lieut

Lieut. Lewis, do Second do.

Lieut Hope, do. Third do.

Lieut. Rodney, do. Fourth do.

Mr. Macklin, surgeon's first assistant
 of the Culloden, surgeon.

Mr Jacobs, from the Admiral's office,
 Purser.

Mr. Haydon, Purser of St Fiorenzo,
 Purser of the Powerful, vice Walker,
 invalided.

Mr. Alston, midshipman of the Cullo-
 den, Lieut of the Wilhelmina.

Mr Seymour, do. Lieut. of the Psyche.

Mr Campbell, do. Lieut. of the
 Ariogant.

Mr Heath, surgeon's assistant of the
 Culloden, Surgeon of the Psyche

Mr. Read, Purser, of the Sapphire
 Sloop, Purser of the St. Fiorenzo.

OFFICERS INVALIDED

Lieut. Crepigny, of the Ariogant.

Lieut. Aplin, ditto.

Lieut. Edwards, ditto.

Mr. Walker, Purser of the Powerful.

REMOVALS.

Captain Bastard, from La Dedaigneuse
 to St. Fiorenzo.

Lieut. Dennison, of the Sapphire, to
 the Wilhelmina.

Mr Matland, master of the Wilhel-
 mina, to the Psyche.

Mr Greensitt, master of the Psyche,
 to the St. Fiorenzo.

Mr Blanford, surgeon of the Phaeton,
 to the Culloden.

Mr. Hodgskin, Purser of H. M. late
 ship Macassar, to the Greyhound.

CEYLON CIVIL APPOINTMENTS.

1807-8.

J Wright, Esq. assistant secretary to
government
A. H. Grisler Esq. assistant advocate

fiscal and joint fiscal to the supreme
court, vice J. Ketson, Esq.

MILITARY PROMOTIONS.

Captain Frederick Hankey, H. M. 19th
reg to be Aid-de-Camp to the lieutenant
general, date 24th July, 1807. Capt.
Charles Pierce, H. M. 19th reg to
be brigade major to the forces, vice
Hankey, date 24th July.

2d Ceylon Regiment 2d Lieut R. P.
Nixon, to be 1st Lieut. by purchase,
vice Seguins, resigned, date 6th Aug-
ust, 1807. Capt. Grant, command-
ing the royal artillery at Galle, to com-
mand the detachment at Trincomalee

1st Ceylon Regiment 2d Lieut. W.
Husband, to be 1st lieut.

2d Ceylon Regiment. 2d Lieut. J. Read
to be first lieut. 2d Lieut adjutant
Hunter to have rank of 1st lieut.

3d Ceylon Regiment 2d Lieutenant and
adjutant White to have rank of 1st
Lieut. Capt Hankey, assistant quar-
ter-master-general Lieut. Stewart,
19th regiment, assistant in the quarter-
master-general's department. 2d
Lieut Dick, 2d Ceylon regiment, to
be assistant to the military secretary,
Lieut George Stewart, to be Captain
of a company, vice Pearce, deceased.

MARRIAGES,

MARRIAGES, BIRTHS, AND DEATHS.

BENGAL.

MARRIAGES.

JUNE, 1807.—R. McClintock, Esq. to Miss Hardyman. Captain J. Swinton, to Miss Stewart. Captain M. White, to Miss F. Marchison. Mr. A. Walker, to Miss E. Larkins. Lieutenant J. Johns, 7th Native cavalry, to Miss C. Fergusson. R. K. Dick, Esq. to Miss H. Hammer.

JULY.—W. Rennell, Esq. to Miss Lucas.

AUGUST.—Lieutenant J. Moir, his majesty's 67th regiment, to Miss M. Thompson. Captain G. Becher, 5th regiment Native cavalry, to Miss Barclay. Lieutenant J. Veach, to Miss Oliphant. B. Browne, Esq. to Mrs. Ceronio. Mr. S. H. Boileau, to Miss J. Norton.

SEPTEMBER.—Captain J. Miller, to Miss P. A. Scott. Lieutenant J. De Brauegard, to Miss M. Hickburn. Mr. R. J. Lambe, to Miss C. Garrett. Lieutenant J. Canning, 27th Native infantry, to Mrs. Anster. Mr. A. R. Finlayson, to Miss Gooding. W. Logie, Esq. to Miss E. S. Arnold. Captain R. Nicholson, to Miss E. Barber.

OCTOBER.—Captain J. Patterson, Esq. of the Duke of Montrose Indianman, to Miss J. Patton. Captain Yates, to Miss St. Leger. J. Donnthorne, Esq. C. S. to Miss S. E. Bampton. W. Lock, Esq. C. S. to Miss J. Cock. P. Smethurst, Esq. to Miss M. Stewart. J. Smith, Esq. to Miss D. Stewart. Captain J. Stevens, to Miss L. M. Cabe. Mr. J. Duncan, to Mrs. E. Hargrave.

NOVEMBER.—Capt. A. Thompson, to Miss A. Kerr. G. J. Siddons, Esq. civil service, to Miss Fombelle. Mr. J. Sawyer, to Miss C. Jones. S. Sweeting, Esq. to Miss C. Cornelius. Captain C. Fagan, to Miss Lawrie.

DECEMBER.—Lieut. T. Volant, his majesty's 65th regiment, to Miss H. W. Lockhart. Col. Carnegie, Commandant of Artillery, to Miss M. C. Boswell. W. Egeiton, Esq. Accountant-general, to Miss S. Boswell. C. I. Davidson, Esq. to Miss Tierney. Mr. E. I. Pennington, to Miss A. K. Gregory. Lieut. C. Browning, 14th Native infantry, to Miss S. J. Plusker. Lieut. J. Gerrard, 2d Native infantry, to Miss H. Holt. Lieut. C. J. Dove-ton, 19th regiment Native infantry, to Miss M. A. Arnold.

JANUARY, 1808.—J. Gibbon, Esq. to Miss Mackintosh. Major O'Donnell, 12th regiment N. I. to Mrs. Brownrigg. H. Somerville, Esq. C. S. to Miss A. Heming. G. Saunders, Esq. C. S. to Miss A. Russell. Capt. Showers, of the artillery, to Miss Paul.

FEBRUARY.—J. C. Plowden, Esq. C. S. to Miss Erskine. Mr. J. Hil-lery to Miss M. Hume. Mr. F. Rehneil to Miss J. George. Brigade Major Gough, to Miss A. Wilkin-son. Mr. R. Smillie, to Miss A. Flower. E. A. Roussac, Esq. to Miss M. Vignon. Major J. L. Rich-ardson, 14th N. I. to Miss Fagan.

M.

- Mr. W. Lambart, to Miss A. E. Smith.
- MARCH.—Capt. N. Sharp to Miss E. B. Campbell. C. McKenzie, Esq. to Miss M. Limrick. Lieut. E. Browne, 13th regiment, to Miss Swinhoe. Mr. G. Hall, to Miss Allan. Capt. J. Marshall, to Miss J. Campbell. Mr. J. H. Bird, to Miss E. Kemp.
- APRIL.—Mr. J. H. Morrell, to Miss M. Gilby. Lieut. J. F. Goad, to Miss A. M. Paul. Lieut. J. T. Hawkins, to Miss H. Ruledge. Mr. A. Davison, to Miss Ingram.
- MAY.—J. Brown, Esq. to Miss M. A. Aldred. J. Bunce, Esq. to Miss L. South. Lieut. G. Moore 1st regiment, to Miss Munt. Dr. Carey to Lady C. E. Von Rumohr. Mr. J. Watts to Miss C. French. Mr. G. Mackay, to Miss S. Herbert.
- JUNE.—J. H. Harrington, Esq. C. S. to Miss A. Johnston. A. Colvin, Esq. to Miss M. Jackson. Capt. Moor, Esq. H. M. 14th regiment, to Miss M. Hadwick. Capt. Shaw, H. M. 22d regiment, to Mrs. A. Cramer. Capt. J. Green, to Miss E. Berrie. C. B. Forrest, to Miss E. St. Leger. Mr. J. Ogilvie, to Miss M. Smith. Mr. W. Cook, to Miss M. Pince. Mr. J. Harrison, to Miss A. Gomis.
- JULY.—Mr. G. S. Hettelman, to Miss M. Malcolm. Mr. N. Johanson, to Miss A. De Cruz. Capt. Horton, 84th regiment, to Miss Terret. Mr. C. McLean, to Miss E. Gull. Lieut. C. W. Brooke, 23d regiment, to Miss Marshall. Capt. J. Johnston, 2d reg. Cav. to Miss S. Rider. Mr. W. Carey, to Miss M. Kinney. W. Collings, Esq. to Miss J. Gall. Lieut. H. P. Davies, to Miss M. A. Wilford. Capt. J. Ferris, artillery, to Miss Ryan.
- AUGUST.—Mr. A. Robertson, to Miss A. Heatham. Mr. Denby, to Miss M. Fuller, Mr. J. K. Porter, to Miss E. Cussons. Lieut. Dacre, 12th regiment to Miss Asscy. — Ochterloney, Esq. to Miss Nelly. Mr. R. Wyate, to Miss Roschoom.
- SEPTEMBER.—Lieut. Martin, to Miss Macpherson. Mr. H. Metcalf, to Miss M. Burnett. Mr. J. Kidd, to Miss M. McCawley. Mr. M. Stalkart, to Miss C. Smith.
- OCTOBER.—E. Strachey, Esq. C. S. to Miss J. W. Kirkpatrick. Capt. W. Kinney, to Miss M. M'Clure. H. Alexander, Esq. C. S. to Miss Pringle. D. Campbell, Esq. to Miss H. Treves. Mr. Lewis de Souza, to Mrs. Whitmore.
- NOVEMBER.—Mr. Joseph Gabriel Schoolfield, to Miss Isabella Burbon. Mr. Dunn, Junior, to Miss Gee. Mr. Robert Howard, to Miss Maria Wroughton.
- DECEMBER.—R. E. Thomas, Esq. to Miss M. Macdougall. J. Ellerton, Esq. to Mrs. Gunn. C. Dumbleton, Esq. C. S. to Miss A. St. Leger. Mr. W. P. Watell, to Mrs. S. Dodd.

BIRTHS.

- JUNE, 1807.—Lady of J. Thornhill, Esq. of a daughter. Lady of the Reverend E. Jeffreys, of a daughter. Lady of J. Colvin, Esq. of a son. Lady of A. Kelso, Esq. of a daughter. Mrs. J. Greenaway, of a daughter. Lady of Captain S. Noble, of the 2d Native cavalry, of a daughter. Miss W. Blanchard, of a daughter. Lady of Mr. J. C. Burton, of a son. Lady of Lieutenant A. J. Watson, of a son. Honourable Miss Bruce, of a son. Lady of Captain B. Fergusson, of a daughter. Lady of Captain H. Blackenhagen, of a daughter. Lady of H. J. Travers, Esq. of a son. Lady of T. Spottiswood, Esq. of a daughter.
- JULY.—Lady of Captain G. Harriott, of a son. Lady of J. B. Birch, Esq. of a son. Lady of J. Taylor, Esq. of twins.
- AUGUST.—Lady of Major Maxwell, his majesty's 67th regiment, of a son. Lady of W. Money, Esq. of a son. Lady of P. Chiene, Esq. of a son. Mrs. Bone, of a daughter. Lady

Lady of M. Shakespeare, Esq. of a son. Lady of Captain C Reddish, 22d Native Infantry, of a son. Lady of Captain Curry, his majesty's 67th regiment, of a daughter. Mrs G. W. Chisholm, of a son. Mrs. J. Knox, of a son. Lady of Captain G Rochfort, his Majesty's 69th regiment, of a daughter. Lady of Captain R. Clarke, of a son. Lady of D Monison, Esq of a son. Lady of Major Boardman, of a daughter. Lady of Captain W C Faithful, of a daughter. Lady of Lieutenant Gwainkin, of a son. Lady of Samuel Ludlow, Esq of a daughter. Lady of G Chester, Esq of a daughter.

SEPTEMBER—Lady of J Wintle, Esq. of a son. Mrs W. Edy, of a son. Mrs Arnold, of a son. Mrs. D Templeton, of a daughter. The honourable Mrs Brookes, of a daughter. Lady of Donald Smith, Esq of a son. Mrs. Leclerc, of a daughter. Mrs. J. Tulloh, of a son. Mrs D Moon, of a daughter. Mrs. A Mansfield, of a son. Mrs H Watson, of a son. Mrs Truckler, of a son. Lady of J. Dyer, Esq of a daughter. Lady of C Corfield, Esq. of a son. Mrs Cripps, of a son. Lady of Captain Matthews, of a son. Lady of Captain P Littlejohn, of a son. Lady of Colonel Prole, of a daughter.

OCTOBER—Lady of Major T. Morgan, of a son. Mrs Ham, of a son. Lady of Lieutenant J Arrow, of a son. Mrs. W Campbell, of a daughter. Mrs. Nash, of a son. Lady of W B Ince, Esq of a son. Mrs. J. Urquhart, of a daughter. Lady of W T Smith, Esq of a son. Lady of Captain Radcliffe, his majesty's 17th foot, of a son. The lady of Major Bristow, of a son.

NOVEMBER—Lady of A. Haig, Esq. of a daughter. Mrs. Dowling, of a son. Mrs W Browne, of a daughter. Lady of R. Robertson, Esq. of a daughter. Mrs Goddard, of a son. Lady of E. Strettell, Esq. of a daughter. Mrs. W. K. Jackson, of a son. Mrs Turnbull, of a son. Lady of Lieutenant J Wilkie, of a daughter. Lady of Lieutenant T L Galt, of a daughter. Mrs. W Hodges, of a daughter. Mrs Stone, of a daughter. Mrs I Scott, of a son.

DECEMBER—Lady of Dr. Hare, of a

son. Mrs D Bagley, of a daughter. Lady of Col Mewelback, of a daughter. Lady of W Farquharson, Esq of a daughter. Lady of Captain A Duncan, of a son. Lady of Thomas Mainwaring, Esq of a son. Lady of Captain R Vincent, of a son. Lady of W. J Money, Esq of a son. Lady of L A Davidson, Esq of a daughter. Lady of Captain W Lamb, of a son. Lady of Captain Porteus, of a son. Lady of Captain Mitchell, of a son. Lady of M. Law, Esq of a son. Lady of C Becher, Esq of a daughter.

JANUARY, 1808—Lady of P. Maitland, Esq of a son. Lady of C Cornish, Esq of a daughter. Lady of R Campbell, Esq of a daughter. Mrs J Edington, of a son. Lady of J. B Plusker, Esq of a daughter. Lady of C R. Crommelin, Esq of a son. Lady of E Cooke, Esq of a son. Lady of Lieut J Maling of a son.

FEBRUARY—Lady of Colonel M'Gregor, of a son. Lady of Captain Young, artillery, of a daughter. Lady of Lieutenant G Warden, 27th Native Infantry, of a daughter. Mrs E Brightman, of a daughter. Lady of W. Russell, Esq of a daughter. Lady of Sir Frederic Hamilton, bart. of a son. Mrs J Stapleton, of a son. Mrs D'Oehme, of a daughter. Mrs P Reid, of a son. Lady of W Armstrong, Esq of a daughter. Lady of J Cheap, Esq of a daughter. Lady of J Walker, Esq. civil service, of a son. Lady of Major Varrenen, of a daughter. Mrs Sutherland, of a son. Lady of J W. Fulton, Esq. of a daughter. Lady of Lieutenant W. P. Foley, of a daughter.

MARCH—Lady of R Graham, Esq. of a daughter. Mrs M Rees of a son. Lady of Captain T Scott, of a daughter. Mrs S Greenway, of a son. Mrs. Kennedy, of a son. Mrs. Garshore, of a daughter. Lady of Lieut Jeremy of a daughter. The lady of Captain R. H Cunliffe, of a son. Lady of N. B Edmonstone, of a daughter. Mrs S. Jones, of a daughter. Mrs Wharhist of a son.

APRIL—Lady of Col. Blair, of a daughter. Lady of Captain T Hodges, of a son. Lady of Lieut. G. Nichollette, of a son. Mrs. A. Bruce, of a son. Lady of Lieut Nugent, of a son. Mrs. Orde, of a daughter.

- Lady of W. Browne, Esq surgeon, of a son.
- MAY — Lady of Captain J. Paterson, of a daughter Mrs. W. Adams, of a son. Lady of S. Marcheson, Esq. of a son Mrs. G. Sherborne, of a son. Lady of J. Sandford, Esq. of a son. Lady of Lieut. W. P. Kempe, of a son. Lady of J. Thornhill, Esq. of a son Mrs. Perroux, of a daughter. Lady of Thomas Brooke, Esq. of a daughter. Lady of J. Browne, Esq. of a daughter.
- JUNE — Lady of Lieut. D. Macleod, engineer, of a son. Lady of J. S. Adams, Esq. of a son Mrs. M. Pereira, of a daughter. Lady of Captain Logie, of a son. Lady of Reverend Mr. Brown, of a son. Lady of G. Ravenscroft, Esq. of a son Mrs. Mountain, of a daughter Mrs. A. Black, of a son. Lady of Reverend M. Thompson, of a daughter. Mrs. Lavie, of a daughter. Mrs. E. M. Sandford of a son. Lady of A. Wilkon, Esq. of a son.
- JULY — Mrs. Burney, of a daughter. Lady of H. Young, Esq. of a son. Mr. G. Gibson of a son. Lady of O. L. Bie, Esq. of a son. Lady of J. Domborne, Esq. of a son. Lady of Capt. J. Cook, of a son. Lady of Lieut. P. Comyn, of a son.
- AUGUST — Lady of R. Clintock, Esq. of a son. Lady of Capt. H. Siblv, of a daughter. Lady of J. Tayler, Esq. of a son. Lady of C. De Verrinne, Esq. of a daughter. Lady of Capt. Piercy of a son. Mrs. Stansbury, of a daughter Mrs. Keene, of a daughter. Lady of
- Capt. Maxwell, of a daughter. Mrs. W. Blanchard, of a daughter. Lady of C. Buller, Esq. of a son. Lady of W. Loach, Esq. of a daughter.
- SEPTEMBER — Lady of Captain J. Grant, 17th dragoons, of a daughter. Mrs. L. Closen, of a son. Mrs. Delamart of twins, a boy and girl. Mr. P. Macarthur, of a daughter. Lady of Captain H. Phillips, of a still-born child. Lady of Captain G. Beacher, of a son.
- OCTOBER — Lady of W. Iring, Esq. of a daughter. Lady of C. Davidson, Esq. of a son. Lady of G. Abbott, Esq. of a daughter. Lady of major Plumer, of a daughter. Lady of Lieut. Maclean, of a daughter. Lady of J. P. Larkins, Esq. of a son. Lady of H. Stone, Esq. of a daughter. Lady of G. D. Guthrie, Esq. of a son. Lady of W. Money, Esq. of a daughter. Lady of Lieut. R. L. Dickson, N. C. of a son.
- NOVEMBER — Mrs. C. M. Hollingberry, of a son. Lady of R. K. Dick, Esq. of a son.
- DECEMBER — Lady of major O'Hollaran, of a daughter. Lady of J. Gibbon, Esq. of a daughter. Lady of Lieut. Beauregard of a son. Lady of Captain Littlejohn, of a son. Lady of Lieut. Legch, of a daughter. Lady of Major Maxwell, of a daughter. Lady of Lieut. T. Moir of a son. Lady of P. Maitland Esq. of a daughter. Lady of J. Lumisden, Esq. of a son. Honorable Mrs. Brooks, of a daughter. Lady of Capt. Hetsler, artillery, of a son. Lady of Capt. A. T. Watson of a son.

DEATHS.

- JUNE, 1807 — Kodidjah Sultan Begum, sister of Nawaub Nadjaph Khan, Vizier to the late Emperor, Shah Allum, and relict of Nawaub Mosam Khan, brother to the Nawaub Sudder Jung. Captain W. Warden, of his majesty's ship *R. A. Snake*. Captain P. Crump. Mr. Assistant-surgeon Taylor, 22d regiment. Colonel J. Collins, resident at Lucknow. Cornet Craig, 3d regiment Native cavalry.
- Lieutenant-colonel A. M'Pherson, 14th regiment Native infantry. Lieutenant Kinaway, 10th regiment Native infantry.
- JULY — E. Thornton, Esq. magistrate of the twenty-four Pergunnas Narm Douglas Hunter, Esq.
- AUGUST — Mr. J. P. Dare, of his majesty's ship *H. Wellesley*. Lieutenant E. H. Manawaring, 3d Native infantry. Captain P. Ramage, Keith

- Keith Indianan Lieutenant Big-
gard, his majesty's ship *Belliqueux*.
Lieutenant C. Steiner. Captain W.
Holland G. Kelso, Esq. Mr J.
Hislop Ensign Campbell, his ma-
jesty's 17th regiment. Captain C. S.
Bangan. J. Tranchell, Esq. civil
service. James Grey, Esq. Master
of his majesty's troop. Dr A. Gray.
- SEPTEMBER.—W. Jackson, Esq. of
the Supreme Court Mrs S. Dix-
on Lady of Captain T. Robertson,
engineer. Lieutenant J. Biber. Cap-
tain G. Freeman. T. M. Browne,
Esq. F. M. Amott, Esq. J. Hunt,
Esq. Captain C. Barker. Lieutenant
M. Douglas, engineer. Captain G.
Read, Native cavalry. Major H.
Hurt, 9th regiment Native infantry.
Mr. J. Bussey Lieutenant-colonel
Wade, E. I. Captain J. Durand.
Lieutenant F. Perney, his majesty's
22d regiment A. M. Willock, Esq.
C. S. F. B. Mylas, Esq. C. S.
Mrs. S. Pous.
- OCTOBER.—J. Gregg, Esq. assistant-
surgeon Captain C. Durande, of
his majesty's 22d regiment Lady
of Gordon Forbes, Esq. G. Thomp-
son, Esq. C. S. Mrs. E. Wheatley.
Captain T. H. Spence Miss San-
ford Mr W. Scott T. Liell, Esq.
C. S. Captain D. Bodkin, his ma-
jesty's 67th regiment
- NOVEMBER.—Henry Crieghton,
Esq. W. Grant, Esq. Captain D.
Lyons, 25th regiment Native in-
fantry. Mrs A. Brown. Captain R.
V. Brown, 7th regiment of Native
infantry. Lieutenant-colonel P. Bur-
rowes Lieutenant A. Barnby, 8th
regiment, Native cavalry.
- G. W. Lawrie, Esq. W. Noyes, Esq.
Lieut. S. F. Robertson, 8th regiment
Native infantry. Lieut. J. K. Ramsay,
11th Native infantry. Mrs H. Bright-
man. C. Coote, Esq. Lieut D. C.
Levingstone M. Godinho, Esq.
Lieut. Fogo. Captain J. Robertson,
21st Native infantry. Mrs. C. Van
Hoon, aged 102 years Lady of the
Rev Dr Carey Mrs Hodgkinson
Captain O'Fraser, 65th regiment T.
Charters, Esq. Lieut-col W. Duff
Capt. lieutenant Brown.
- JANUARY, 1808.—Mrs, T. Spottis-
wood M^{rs} Thos. Ciy. Mr. Gray,
of Purmah. M^s. Burn Mrs. F.
Vingoon C. Campbell, Esq. sur-
geon. M^s. G. E. Davies Mr.
Blackwell. M^s. J. Leary. Mr. W.
- B. Byrn Captain G. W. Wiggins.
Mrs. J. Robertson. C. S. Maling,
Esq. C. S. H. Somerville, Esq.
C. S. J. Edmonstone, Esq. C. S.
Mr. J. Bourbon.
- FEBRUARY.—Mrs. A. Dowling.
R. v. J. De Costa Capt R. Best,
artillery Lady of Dr. W. Hunter.
- MARCH.—Mr. E. Brightman. Miss
M. Quicke Ensign Stacy, 19th N. I.
Lieut.-Col. J. Burnett, 19th N. I.
Mr J. Forbes Capt. Hurlestone,
H. M. 22d regiment. Miss M. H.
Swaine. Mrs. C. Cooke Mr R.
Baillie Lieut. C. Whitfield, 26th
N. I. Lieut. St. John Archer, 19th
N. I.
- APRIL.—Capt. M. Franks. Lieut.
J. Chatheld. Capt. M. F. Smith
John Galloway, Esq. Robert Brydie,
Esq. Major-general R. M. Dickens.
J. H. T. Robcrtson, Esq. C. S.
Ensign G. Kember.
- MAY.—Lady of J. Fombelle, Esq.
Miss E. Manley, Capt Francis Latter,
2d N. C.
- JUNE.—Capt. P. Henry, H. M. 4th
Reg. Lieut. W. Gother, 8th N. I.
Ensign R. W. Lloyd, 16th N. I.
Samuel Mican, Esq. C. S. R. Blach-
ford, Esq. Mr Lock, of the Experi-
ment Mr. R. Munice H. M.
S. Dasher W. Bond, Esq. W.
Dennis, quarter-master, 24th light
dragoons.
- JULY.—Mr. C. Pool, Pilot. W.
Bernie, Esq. C. S. G. Falconer,
Esq. Mr A. Thompson, Midship-
man. Mr. W. Basset.
- AUGUST.—Mr F. Hebron. Mr. J.
Feiris, conductor of ordnance. Lieut.
C. Gilmore, marine. Capt. J. Tay-
lor, country service Lieut T. Den-
nis, 27th. N. I. Mr J. Morrison.
J. Williams, Esq. surgeon. Mr.
W. Hufflett, ship Glory Lieut. C.
Macpherson, 20th N. I. Lieut.-Col.
Wood, H. M. 17th reg. Mrs.
Joseph de Souza. Lady of Capt.
B. Browne.
- SEPTEMBER.—Thos. Wiggell, Esq.
purser. Mr. W. Harvey, military-
board office. G. Proctor, Esq.
surgeon 8th light dragoons. W.
C. ev, Esq. C. S. A. Logan, Esq.
H. M. 67th reg. Lieut J. Quene,
sloop Victor
- OCTOBER.—Major Lynet Cotton, 17th
light dragoons. Lady of J. Richard-
son, Esq. C. S. Lieut.-Col. Cole-
brooke.

brooke, surveyor general. F. Mills, Esq. H. Wakeman, Esq. C. S. Captain H. Phillips. Mrs. R. Blanchard. Mrs. A. French. Lieut. J. Meyrick, 22d N. I. Lady of W. Dring, Esq. J. Walker, Esq. C. S. Mr. F. F. Dade, ship Calcutta.

NOVEMBER. — Mr. T. Nicholson, assistant in the military-board office.

Mr. J. D. C. Kirby. T. F. Bevan, Esq. C. S. J. Brice, Esq. commissioner of requests.

DECEMBER. — Major G. Downie, commanding the Calcutta Native militia. Ensign G. D. Macmure. Lieut. T. T. Murphy, 26th N. I. Mrs. J. L. Kiernander.

MADRAS.

MARRIAGES.

JUNE, 1807. — Lieut. P. Mornill, 10th N. I. to Miss C. Sago.

JULY. — Lieut.-col. Malcolm, resident at Mysore, to Miss C. Campbell. C. Harris, esq. C. S. to Miss M. Frith. J. T. O'Reilly, esq. to Miss J. S. Hunter. Capt. J. B. Wainhouse, N. I. to Miss R. M. Swatts.

AUGUST. — Lieut. J. Hampton, 7th N. I. to Mrs. M. Foster.

SEPTEMBER. — Lieut. G. Moore to Miss H. Diezman. G. Garrow, Esq. C. S. to Miss Baker.

OCTOBER. — Major Gurnell to Miss Molesworth. Capt. M. nase Lopes Pereira, 11th reg. N. I. to Miss Marie Du Rhone. Lieut. Henry Dumas, 9d reg. N. I. to Miss Jane Jackson. J. Plunkett, esq. to Miss A. D. Urilla. J. Cotton, esq. to Miss S. C. Siedman. Lieut. J. Wahab, 17th N. I. to Miss Lascelles.

DECEMBER. — Charles Fleming, esq. Surgeon, to Miss M. Gowdie. Capt. J. McDougall, 6th N. I. to Miss Z. De Goelies.

JANUARY, 1810. — Lieut.-col. Adams, 25th L. D. to Miss C. E. L. Geyr.

MARCH. — Lieut. P. David, 8th N. I. to Miss J. Duand. Lieut. M. Smith, 3d N. I. to Miss Haliburton. Mr. C. Burns, to Miss G. Lloyd. Cornet C. T. Ellis, 2d L. D. to Miss H. Topander.

APRIL. — Capt. Keashury, to Miss Bie-thaupt.

JUNE. — Capt. W. C. Oliver, 6th N. I. to Miss S. J. Lang. S. Skinner, Esq. C. S. to Miss Routledge.

AUGUST. — L. A. Tulloh, 7th N. I. to Miss Wahab. Mr. W. Grey to Miss C. Lane. Mr. W. Urquhart to Miss S. Mayo. Lieutenant H. Dixon, 8th regiment Native Infantry to Miss H. Adams.

SEPTEMBER. — Captain De Havilland, engineer, to Miss Saumarez. Mr. J. Anchant to Miss C. M. Maxwell. T. Jarrett, Esq. C. S. to Miss A. Reynaud. Lieut. J. J. Ekershall, 11th Native Infantry, to Miss C. Kinchant. Captain W. Macpherson to Mrs. Barbutt.

OCTOBER. — P. B. Pellew, Esq. to Miss Barlow, eldest daughter of Sir G. H. Barlow, Baronet, K. B. Captain Hart, of the Royal Navy, to Miss Williams. E. Wood, Esq. of his majesty's service, to Mrs. Mary Eilay. John Bird, Esq. to Miss Georgiana Mary Dodson. Mr. Samuel Davis to Miss Abigail Bastings. Alexander Kennedy, Esq. to Mrs. Ure. Henry Russel, Esq. son of Sir Henry Russel, Knight, chief justice of the supreme court of judicature at Calcutta to Miss Jane Amelia Casamajor, second daughter of James Henry Casamajor, Esq. member of council, at the presidency of Fort St. George. Lieutenant Erwin Oldnall, to Miss Jane Horsman. Lieutenant Wheeler to Mrs. Adelaide Ahier.

NOVEMBER. — Lieutenant-colonel J. Simons, 11th Native Infantry, to Miss J. Briton.

DECEMBER. — J. Babington, Esq. of the

the honourable company's civil service, to Miss Roebuck Lieutenant Colonel Munro, quarter master gene-

ral of the army, to Miss Charlotte Blacker G. Ford, Esq surgeon, to Miss E Glasspoole.

BIRTHS.

JULY. 1807.—The Lady of Lieut Madwin, of the 90th regiment N. I. of a son. The Lady of Capt. McCally 20th Native regiment of a son. The Lady of George Read, Esq of a son. The Lady of Capt. Browne, of H. M. 59th regiment of a daughter. Mrs Blyth of a son.

JULY.—The Lady of George Coleman, Esq of a son. The Lady of A Woodcock, Esq. of a son. The Lady of E. P. Dent, Esq of a son. The Lady of John King Lane, Esq. of a daughter. The Lady of Captain J. Grant, of a daughter. The Lady of M. Dick, Esq of a son. The Lady of major Boardman, of a daughter.

AUGUST.—The Lady of C. H. Higginson, Esq of a daughter. The Lady of Edward Croft Greenway, Esq. of a son. Mrs Luttrell of a daughter. Mrs. A. E. Sykes of a daughter. The Lady of Capt. Maret of a daughter. The Lady of J. Hay, Esq of a son. The Lady of C. Churchill, Esq of a son. The Lady of J. Byng, Esq of a son. Mrs Bose of a daughter.

SEPTEMBER.—The Lady of A. Anstruther, Esq of a son. The Lady of Lieut. Palin of a daughter. The Lady of J. Campbell, Esq. of a son. The Lady of major general Fuller of a daughter. The Lady of Capt. H. Broom, 22d L. D. of a daughter. Mrs. Haslewood of a daughter. The Lady of J. Lefouche, Esq of a son.

OCTOBER.—The Lady of James Strange, Esq of a daughter. Mrs. Yarde of a son. The Lady of William Mackintosh, Esq of a son. The honourable Mrs. Murray, of a daughter. The Lady of William Hart, Esq of a son. The Lady of Lieut. J. Hodgson, of a daughter. The Lady of Lieutenant Colonel Taylor, commandant of the Madras European regiment, of a son. The Lady of Captain Powell, of the 21st regiment N. I. of a daughter. The Lady of colonel McCally, of a

daughter. The Lady of Lieut. Col. Durand, of a daughter.

NOVEMBER.—Lady of G. Moor, Esq of a son. Lady of Capt Molesworth of a daughter. Mrs. J. Branson, of a son.

DECEMBER.—Lady of Charles Marsh, Esq. of a son.

JANUARY, 1808.—The Lady of Lieut. Jackson, Fort Adjutant of Trichinopoly, of a daughter. Lady of the Honourable Sir Thomas Strange, Knt chief justice of the supreme court of Judicature, of a son. Lady of C. Wetherell, Esq. of a son. Lady of Hugh Spottiswood, Esq. of a son. Lady of Captain De Bergeon, of H. M. regiment De Meuron, of a daughter.

MARCH.—Lady of J. N. Watts, Esq. of a son. Lady of A. Flower, Esq of a son. Lady of S. McMullen, Esq 59th reg. of a daughter.

APRIL.—Lady of Lieut Wilson, 3d N. I. of a daughter. Mrs. Pepper of a son. Lady of G. Briggs, Esq of a son.

MAY.—Lady of Capt. Stevenson, 25th N. I. of a son.—Lady of S. Dyer, Esq. of a son.

JUNE.—Mrs W. Grant of a daughter. Mrs Scallon of a son. Lady of J. Dalton, Esq of a son. Lady of P. Neale, Esq. of a daughter. Lady of Lieut McLean, Vellore, of a son. Lady of major Freese of a son. Lady of Lieut Tritton, 24th L. D. of a daughter.

JULY.—Lady of T. Oakes, Esq. of a son. Lady of Capt Taynton, Artillery, of a son. Lady of Capt. Mandeville of a daughter. Lady of Lieut. Jones of a son.

AUGUST.—Lady of captain Corry, paymaster of H. M. 69th reg. of a son. Mrs. E. Watts, of a son. Mrs H. Falvey, of a daughter. Mrs Bold of a still-born child. Lady of J. Cotton, Esq. of a daughter. Lady of major M. Cosby, brigade-major in the northern division of Masulipatam, of a son. Lady of major William Boye, of

of the 24th reg. N. I. of a son. Lady of Capt Gilbert Vaugh, barrack master, of a son. Lady of Edward Croft Greenway, Esq. of a son. Lady of Major Gurnell, of a son. Mrs. Sherman, of a son.

SEPTEMBER.—Lady of J. Underwood Esq. of a daughter. Lady of J. Campbell, surgeon, of a son. Lady of J. G. Ravenshaw, Esq. of a daughter. Lady of E. W. Stevenson, Esq. of a son. Mrs. Hunt, of a son. Lady of Lieut. Wnght, of a daughter. Lady of F. Reeves, Esq. of a son.

OCTOBER.—Lady of captain Barrow, H.

M. 69th regiment, of a son. Lady of captain Showers of the Artillery, of a son. Lady of captain Cotgrave of the engineers, of a daughter. Mrs. Ahmuty, of a son. Lady of L. H. Sterling, Esq. of a daughter.

NOVEMBER.—Lady of A. Anstruther, Esq. of a daughter. Lady of major Brice, of the 24th Native regiment of a daughter. Lady of Lieut. Garrard, of the corps of engineers, of a daughter. Mrs. Blyth, of a daughter. Lady of Rev. Edward Vaughan of a daughter.

DECEMBER.—Lady of major general Fuller of a daughter.

DEATHS.

JUNE, 1807.—The infant daughter of Alexander Cockburn, Esq. Capt. T. Longan, 20th reg. N. I. Lieut. David Binny, of the 3d reg. N. I. Lieut. Col. Andrew Macpherson, of the 1st battalion 14th reg. N. I.

JULY.—George Smith, Esq. collector of Guntoor. Mr. James George Topander. Mr. Cadet. D. Grinstead. Mr. Andre Louis. The lady of George Coleman, Esq. judge of the Zillah of Chingleput. Capt. Squire Lecky of H. M. 25th light dragoons. Lieut. Col. Tanner, of the coast artillery. Charles Rolland, Esq. Mrs. Bishop. Mrs. Gencke. Cornet Tristram, of the 3d reg. Native cavalry.

AUGUST.—Mrs. Elizabeth Pritchard, wife of William Pritchard, Esq. garrison surgeon at Vellore. Assistant surgeon A. R. Sparke, of his majesty's 25th light dragoons. The infant son of Major Nuthall. John Smith, Esq. surgeon to his majesty's 94th regiment of foot. The lady of J. P. Knott, of the second regiment Native infantry. On Friday, the 14th inst. William Webb, Esq. C. S.

SEPTEMBER.—Captain Garrick Read, of the cavalry. John Dennis, Esq. master attendant. The infant daughter of major-general Fuller. The lady of John Hay, Esq. Mr. William Blood, cadet.

OCTOBER.—James Barter, Esq. garrison surgeon and medical store keeper. The infant daughter of captain Broome, his majesty's 22d light dra-

goons. The infant daughter of C. H. Higginson, Esq. Captain Phillip Le Coutuer, of the 12th regt. Mr. Michael Hughes, conductor of ordnance. Lieutenant-colonel Du Pont, of the Invalid establishment. Mrs. Lucy du Puy. D. Fleming, Esq. surgeon of the Culloden.

NOVEMBER.—R. Fleming, Esq. Bengal service. W. Grant, Esq. supreme court. Lieutenant C. Turner, 9th native cavalry. Captain H. Mackintosh, 8th Native infantry.

DECEMBER.—Miss M. A. Brooke.

JANUARY, 1808.—Mr. Butler, son of captain Butler. The lady of lieutenant Stodart, of his majesty's 80th regt. William Henry Rand, infant son of captain Charles Rand. Mr. John Paterson. Miss Ann Maria De la Salle, in the 19th year of her age. William Edwards, Esq. captain of his majesty's 34th regt. Lieutenant-colonel Alexander Macleod, commanding the garrison of Chittledroog. Lieutenant Spottiswood Lawson, of the 1st battalion, 14th regiment native infantry. Mr. Charles Harrison.

FEBRUARY.—Major P. Joyes, 7th Native regt. Major-general Sir W. Clarke, bart. T. Chase, Esq. C. S. W. Todd, Esq. S. I. Hector Shaw, Esq. C. S. Mr. J. Stevens.

MARCH.—Mr. J. Parry. Mrs. A. Jones. MAY.—R. Megison, Esq. C. S. Lieutenant M'Donal, his majesty's 34th regt. H. Taylor, Esq.

JUNE.

JUNE.—Mr. J. Jones. Infant daughter of F. Disney, Esq.

JULY.—G. Falconer, Esq. Captain M. Ghie, his majesty's 1st regt. W. Fillingham, Esq. 66th regt. Lieutenant G. Allen, 15th Native infantry.

AUGUST.—Captain Kingsley, artillery. Lieutenant Taylor, 15th Native infantry. Mrs. Vansomerem, Negapatam. Lieutenant Dunn. W. W. R. Hewlett, cadet. Mr. S. Yates, commissary of stores. Lieutenant W. Ash, 7th regiment Native infantry. Ensign A. Magill, his majesty's 1st regt.

SEPTEMBER.—Lieutenant T. Thompson, of the second battalion, 19th regiment Native infantry. Lieutenant Reid, 5th regiment Native cavalry. Captain M'Dowall, his majesty's 3rd regiment. Mrs. Von Geyer. Lieutenant J. Forbes Reid, of the 5th regiment Native cavalry. The honourable David Ruthven, of the H. C. C. service, Bengal establishment. Mr. John Graham, cadet. Captain Bolton, of the Bengal establishment.

OCTOBER.—Lieutenant Wade, of his majesty's 23th light dragoons. Mohavvy Mahomed Causim, Cauzeecool.

Cazatt of the provinces subject to the government of Fort St. George. Mr. F. H. Smith, master of the Navy Tavern. Lieutenant-colonel George Dodsworth, of his majesty's 34th regiment of foot. Miss Catharine Pascal. Lieutenant Stoney of his majesty's 53d regt. Seth, the only son of Mr. Aviet Seth. Mr. Henry George Abich. Lieutenant Stewart Reid, of the 2d battalion, 2d regiment, N. I. Alexander Inverarity, Esq. surgeon, 3d regiment Native infantry.

NOVEMBER.—Miss Mary Anne Neale, daughter of Daniel Neale, Esq. Mr. William Bold. Mr. J. F. Moss. Captain Montague West, of the 8th regiment Native cavalry. James Fullarton, Esq. commercial resident. Mr. Samuel Jameson. Miss Elizabeth Stephens. Thomas Owen, Esq. Mathew Yates, Esq. of the honourable company's civil service. The infant son of C. H. Churchill, Esq. Mrs. Thomas Thomson. Th. Boyer Hurdie, Esq. Junior Pusne judge of the court of Sudder and Foujdary Adawlet.

DECEMBER.—Henry Brown, Esq. C. S. Mrs. T. Nevill. Lieutenant J. A. Andrews.

BOMBAY.

MARRIAGES.

JUNE, 1807.—Lieutenant F. Donnelly, 6th regiment Native infantry, to Miss S. Bowles. Lieutenant W. H. Stanley, 8th regiment Native infantry, to Miss J. Martin.

AUGUST.—Lieut. W. Jones, to Mrs. M. Bell. Christian Von Geyer, Esq. to Miss Greenwood.

SEPTEMBER.—Lieut. Hillhouse, 86th regiment, to Mrs. Wallace.

OCTOBER.—Lieut. R. Harrison, 6th Native infantry, to Miss E. Eyob.

NOVEMBER.—Mr. M. De Souza, to Miss M. De Rosario.

DECEMBER.—Mr. Gramleck, assistant-surgeon, 84th regiment, to Miss Margott.

JANUARY, 1808.—Captain J. J. Smith, 8th Native infantry, to Miss C. Drum-

mond. C. J. Rich, Esq. resident at Bagdat, to Miss Mackintosh, eldest daughter of Sir J. Mackintosh.

FEBRUARY.—Captain. Morse, artillery, to Miss Traborn. Lieut. Maw, to Miss Bland, widow of the late chief engineer.

APRIL.—J. Skrine, Esq. to Miss M. Weighman. Lieut. T. Dickenson, to Miss C. Deane.

MAY.—Lieut. J. Anderson, 9th Native infantry, to Miss M. Philpot.

JUNE.—Captain Powell, artillery, to Miss Langford.

JULY.—Captain Horton, 84th regiment, to Miss Territt. Lieut. Mack, marine, to Miss Nesbitt.

SEPTEMBER.—Captain Pope, to Miss Bridgeman.

BIRTHS

BIRTHS.

- JUNE, 1807**—Lady of the Rev. N. Wade, of a daughter. Lady of Captain J. G. Richardson, of a son. Lady of Ensign Gell, of a daughter. Lady of J. Smce, Esq. of a daughter. Lady of Lieut. Browne, 59th regiment, of a daughter.
- JULY**—Lady of W. Kennedy, Esq. of a son. Lady of L. Ashburner, Esq. of a daughter.
- AUGUST**—Lady of R. Honner, Esq. of a son. Lady of Major W. Young, of a son.
- SEPTEMBER**—Lady of Lieut.-colonel Orrock, of a daughter. Lady of J. Morison, Esq. of a son. Mrs. Webster, of a son.
- OCTOBER**—Lady of Captain Hannah, his Majesty's 65th regiment, of a daughter. Lady of Captain R. Vincent, of a son. Lady of J. W. Monney, Esq. of a son. Mrs. Debraam, of a daughter. Lady of T. Malcolm, of a son.
- NOVEMBER**—Lady of Lieut. Gowan, marine, of a daughter.
- DECEMBER**—Lady of B. Phillips, Esq. of a son. Lady of R. B. Perrin, Esq. of a son.
- JANUARY, 1808**—Mrs. Boyer, of a daughter. Mrs. T. Howell, of a daughter.
- FEBRUARY**—Lady of C. Forbes, Esq. of a daughter. Lady of Lieut. Pruett, of a daughter.
- APRIL**—Lady of J. Leckie, Esq. of a daughter. Lady of J. Elphinstone, Esq. of a daughter. Lady of O. Wodehouse, Esq. of a daughter. Mrs. Paterson, of a daughter.
- MAY**—Lady of Major-general Jones, of a daughter.
- JUNE**—Lady of Brigadier-general Malcolm, of a daughter.
- JULY**—Lady of R. Whitcombe, Esq. civil service, of a daughter.
- AUGUST**—Lady of C. J. Buscoe, Esq. of a daughter.
- SEPTEMBER**—Lady of J. P. Hadow, Esq. of a daughter. Lady of Lieut. J. Gell, of a son.
- OCTOBER**—Lady of J. Wooler, Esq. of a son. Lady of W. Kennedy, of a daughter.

DEATHS.

- JUNE, 1807**—Lieut. P. Robertson, 3d regiment Native infantry. Lieut. Tagger, his Majesty's 12th regiment.
- JULY**—Ensign A. Canthow, 8th Native infantry. Lady of J. Douglas, Esq.
- AUGUST**—Captain C. S. Bunyan. Lieut. R. Laprelle, 8th Native infantry. Infant daughter of W. Crawford, Esq. Lady of Colonel C. Boye.
- SEPTEMBER**—Lieut. J. Powell, 1st reg. Native infantry. Major J. Greenly, 4th Native infantry.
- OCTOBER**—A. Adamson, Esq. civil service. Captain G. Warden. Lieut. R. Campbell, 3d Native infantry. J. Bartei, Esq. Lieut. W. Nesbitt. Mrs. Mackenzie. Mrs. Cope.
- NOVEMBER**—J. G. Cocker, Esq. civil service. Lieut. J. Leighton, 3d Native infantry. Lieut. A. R. Bruce, 7th Native infantry.
- DECEMBER**—Lieut. E. C. Pottinger, E. R. Captain P. Le Couteur, 12th Native infantry. Ensign J. Trampler. Captain J. Frayer, country service.
- JANUARY, 1808**—Lieut. S. W. Andrews, his Majesty's 84th regiment, lately at sea. Lieut. C. Simpson, R. N. Lady of Captain Armstrong, 9th Native infantry.
- FEBRUARY**—Major-general J. Bel-lasis, commander of the forces, and colonel of artillery.
- APRIL**—Ensign E. Herbert, 1st Gren. battalion.
- MAY**—Captain R. Frame, country service. Lieut. C. Gilmour, marine.
- JUNE**—Captain Dempster, country service. Mr. J. Wilson, ship Greville.
- AUGUST**—Mrs. M. Rutherford. Lieut. W. Watts, 4th Native infantry.
- SEPTEMBER**—Major W. Ince, artillery. Lieut. F. E. Newcomen, artillery. Surgeon Best, M. E.
- OCTOBER**—Captain H. A. Shewcraft, artillery. Fletcher Hayes, Esq. civil service.
- NOVEMBER**—J. Strachey, Esq. civil service.
- DECEMBER**—Mr. Lonsdale, purser.

PRINCE OF WALES'S ISLAND.

MARRIAGE.

Lieut. J. Veitch, to Miss Oliphant

BIRTHS.

Lady of J. Carnegie, Esq. of a son.
 Lady of B. Loitie, Esq. of a son
 Lady of J. Hutton, Esq. of a daughter. Lady of P. Chienne, Esq. of a son. Lady of J. M. B. Adams, Esq. of a son

DEATHS.

The Honourable P. Dundas, governor.
 J. Scott, Esq. Captain M. Shepherdson, country service. M^r Young
 M^r. Weidenhold J. Herriott, Esq.
 assistant-surgeon. J. Biggard, Esq.
 lieutenant of his Majesty's ship Bel-
 liqueux M^r Read. M^r. J. Orrock.
 J. Brown, Esq. Bombay civil service.
 Infant daughter of J. P. Hobson, Esq.;

CEYLON.

MARRIAGES.

Captain Brown, 2d Ceylon regiment, to
 Miss Twissleton. M^r F. Dickson,
 to Miss C. A. Conradi. W. H.
 Gleather, Esq. to Miss L. Lovelace.
 W. Orr, Esq. civil service, to Miss
 M. Mackay.

BIRTHS.

Lady of J. Christie, Esq. of a son.
 Lady of C. E. Layard, Esq. civil ser-
 vice, of a son. Honourable Mrs
 Tarnour, of a son. Lady of Lieu-
 tenant-colonel Kerr, of a son. Lady
 of L. C. Hook, Ceylon regiment, of
 two daughters.

DEATHS.

J. Trunchell, Esq. judge at Jaffna.
 F. Baron Myhus, judge at Matura
 Lieut.-colonel J. Blackency, his Ma-
 jesty's 86th regiment. Captain Pearce,
 his Majesty's 19th regiment. Lieu-
 tenant Butcher, his Majesty's 66th regi-
 ment. J. F. Conradi, Esq. Captain
 Driberg. P. Marshall, Esq. civil
 service.

BENCOOLEN.

DEATHS.

J. Parr, Esq. civil service. The hon.
 C. Murray, civil service. Lieut. J.
 Peard, 24th regiment, Bengal Native
 infantry. Lady of G. C. Master, Esq.
 Belfour Russell, Esq. civil service.

APPENDIX TO THE CHRONICLE.

Extract of a general letter to the Honourable Court of Directors, dated 23d March, 1807

Para 433. " We have recently directed the sum of pagodas 324, to be paid to lieutenant Wight of the 9th regiment of our Native infantry, on account of the private losses of that officer, in an action which he sustained with great judgment and gallantry, at the head of a small party of troops, against a considerable body of predatory Polygars "

434. " The subject having been brought to our attention in a communication from the resident at Hydrabad, who strongly recommends the case to public notice, we requested the commander-in-chief to take measures for ascertaining the extent of the claim, and lieutenant-general Stewart, reported the result at our consultation of the 6th instant

435 " The public treasure, amounting to several lacs of rupees, which lieutenant Wight had been appointed to escort from Vellore to Hydrabad, having been saved from the banditti by his exertions, and by the sacrifice of his own baggage, we consider it to be just that we should compensate his private loss, and we have great pleasure in bringing lieutenant Wight under the notice of your honourable court, as a young officer of rising character.

Vol. 10.

We beg leave to refer you to the dispatches from the resident at Hydrabad for an account of the transaction, and, as it must ever be of advantage to your service, that particular instances of merit should be publicly distinguished and rewarded, we anticipate your approval of our determination on the case.

Extract of a general letter from the Honourable Court of Directors, dated 30th July, 1806.

Para 239. " Although we have not received the proceedings to which you refer, the narrative of lieutenant Wight's gallant conduct, given in those paragraphs, is sufficient to justify your resolution, and as you have stated that by his exertions he saved treasure to the amount of several lacs of pagodas, which he was appointed to escort from Vellore to Hydrabad, by the sacrifice of his own baggage, for which you remunerated him in the sum of pagodas 324, we authorize you to make him a gratuitous donation of pagodas 250 in addition thereto, as a mark of our sense of his good conduct on this occasion "

Address, to Major-general Campbell, &c

Sir,—It is not without a lively sense of regret that the civil and military officers stationed in the ceded districts address you on the present occasion,

† X

W.

We perceive by the late orders of government, that you are removed from a scene where your exertions have long reflected so much credit on yourself individually, and from the influence they have had in firmly establishing the authority of the British government over a newly-acquired and widely-extended territory, have been productive of the most beneficial consequences to your employers.

While we shall all long and feelingly lament the loss of your society as a private gentleman, the military in particular, who have been immediately placed under your authority, would be wanting to themselves were they not to express the happiness they have enjoyed in obeying an officer, no less distinguished for his talents in command, than the urbanity and mildness which have marked the exercise of them.

In whatever station future events may place you, our best wishes for your health and welfare will ever attend you, and that providence may long permit the Indian army to enjoy the advantage of your ability, integrity, and experience, is the sincere and earnest desire of, Sir,

Your most obedient,

Humble servants,

Thomas Munro, collector. P. Bruce, judge. H. Shaw, sub-collector. Thos. Weston, assistant adjutant-general, for self and captain Reid, assistant quartermaster-general. Captain McGregor, lieutenant Hankin, and lieutenant Trotter, 3d battalion, 5th regiment Native infantry. By desire, J. Travers, judge. J. Bird, register. W. D. C. D. Webb Thackery, assistant to the judge. By desire, Frederick Cahagan, sub-collector. G. Martin, lieutenant colonel. W. Peyton, garrison surgeon. J. Duncan, superintending surgeon. C. D. M. Cubbon, lieutenant 2d battalion, 5th regiment.

G. Hankin do. J Campbell, captain 34th regiment. D. W Ross, lieutenant do. A Connell, surgeon 5th regiment Native infantry. J. Hall, fort adjutant of Bullary G Bradley, lieutenant engineers. John Campbell, captain, J. A. C. D. G. Bradley, for lieutenant H. Rbert, 5th regiment Native infantry. P. Joyce, major 2d battalion, 7th regiment Native infantry. John Smith, lieutenant do. H. A. Bell, lieutenant do. G. E Fitzpatrick, lieutenant do. G. Jackson, lieutenant do. B. B. Parly, captain do. W. Hardy, lieutenant do. F. L. Burman, lieutenant do. D. Russell, lieutenant do. G. Bruce, assistant surgeon do. Thomas F Wright, captain do. A. Belmont, captain do. M. Firmer, lieutenant do. Thomas F. Wright, captain do. for captain C Heath and lieutenant John Foote, 2d battalion 7th regiment Native infantry. Lieutenant G. Munnell, 2d battalion 5th regiment Native infantry. H. Macalister, H. M. 34th regiment. G. J. Goreham, captain-lieutenant artillery. E. S. Munro, lieutenant do. G. J. Gillespie, captain 4th regiment cavalry. H. O'Brien, captain do. Robert Palm, lieutenant do. G. Macquay, captain do. W. T. Erskine, cornet do. H. Meredith, lieutenant do. A. Forberingham, cornet do. J. Best, deputy-commissary stores. G. Bowness, lieutenant-colonel. J. M. Everard, major 34th regiment. H. Roberts, captain do. M. Tew, lieutenant do. W. Hovenden, captain do. G. Carnegie, lieutenant and adjutant do. T. Davies, lieutenant do. John Graham, assistant surgeon do. C. H. Burton, lieutenant do. H. H. Torriano, B M C D J. W. Oliver, lieutenant 1st battalion 25th regiment Native infantry. R. Crewe, lieutenant do. S. S. Gummer, lieutenant do. P. Henderson, lieutenant do. Thomas Beckett, captain do. C. Aldridge, captain do. R. Taylor, captain do. J. Cuddy, assistant surgeon do. R. Taylor, captain of artillery. C. S. R. Stancy, captain 1st battalion 25th regiment. W. O'Reiley, lieutenant do. J. Wisset, captain 1st battalion 22d regiment native infantry. R. E. Langford, captain do. J. Dymock, captain do. W. Hankins, captain

lieutenant do. J. Beard, lieutenant do.
E. C. Davenport, lieutenant do. J.
B. Scouler, lieutenant do. A. Hay,
lieutenant do. G. Agnew, assistant
surgeon do. J. Jameson, lieutenant
do. T. S. Huntly, lieutenant 1st
battalion, 22d regiment Native infantry.
John Scott, lieutenant and adjutant
1st battalion, 22d regiment Native in-
fantry.

Bellary, July 27, 1807

*Lieutenant-colonel George Martin,
commanding 2d Battalion, 5th
regiment, at Bellary*

SIR, — In acknowledging the receipt of your letter of the 13th instant, covering a most handsome address from the civil and military officers, serving in the ceded districts, on the occasion of my removal from that command to Mysore, I have to request you will accept my best acknowledgments for the obliging terms in which you have been pleased to make the communication, and that you will do me the honor to make known the enclosed reply, in whatever manner may be most agreeable

I have the honour to be,
with the greatest regard,
Sir,

Your most obedient,
and most humble servant,
DUGALD CAMPBELL, M.G.

Madras, August 19, 1807.

*To the Civil and Military Officers,
serving in the Ceded Districts.*

GENTLEMEN, — I was yesterday highly gratified by the receipt of your address, in consequence of my removal to the command of Mysore.

It will ever be a source of pleasing reflection to me, that the conduct I observed, while entrusted with my late command, has merited the approbation and regard of those with whom I have so long had

the honour to act. I beg leave to observe, that, in whatever station I may hereafter be placed, I shall ever retain a grateful sense of the cordial support I have on all occasions experienced from you; and with the most sincere wishes for your honour and happiness, and for the prosperity of the ceded districts.

I have the honour to be,
Gentlemen, your
most obedient
and most faithful servant,
DUGALD CAMPBELL, M.G.
Madras, August 19, 1807.

*Report of the Native Poor Fund
Committee.*

1 In closing the accounts of the Old Native Poor Fund, the committee to whom the management of that trust was delegated, embrace the occasion of exhibiting to the public a general statement of their proceedings, and of the various beneficial objects which the fund has promoted or accomplished.

2 In the address of the committee to the inhabitants of Madras, dated the 31st January, 1807, on occasion of the apprehensions, which were generally entertained of approaching famine, an account is given of the origin of the fund. It is there stated; — “At that time, (1782) a general subscription was opened for the relief of the native poor of this settlement, and it was most liberally encouraged, as well at Madras, as by the supreme government and inhabitants of Calcutta. A committee for the appropriation of the money thus subscribed was elected, consisting of the ministers and church wardens for the time being, together with some of the most respectable British, Portuguese, Armenian, and native inhabitants of Madras. Under
† X 2 the

the management of this committee, the funds of the charity were applied to the purchase of all the grain which could possibly be procured. Many thousands of distressed natives found immediate relief, and upwards of 2 000 remained, and for the space of several months were daily fed at the Monnegar Choultry. The whole amount of the subscription would then have been expended, could sustenance have been obtained for a greater number of miserable objects. When this grievous calamity ceased, the committee determined to apply the balance, which remained, in a manner the most beneficial, and, next to the original intention, apparently the most consonant to the benevolent views of the subscribers. It was resolved that the interest accruing from this sum should be appropriated to the relief and maintenance of the sick, the aged, and infirm among "the native poor," and the principal should be preserved, in order to be in readiness to avert the miseries of famine, should it please Providence again to afflict this settlement with such a terrible dispensation."

3. The surplus of unappropriated subscriptions, after the cessation of the famine of 1782, amounted to about 20,000 pagodas. The exact sum it is not in our power to ascertain, in consequence of the loss of the first number of the minutes of the committee, containing their proceedings from 1782 to 1784. There is every reason to believe that this volume, with some other papers, were in possession of Mr. A. Ross, a zealous and valuable member of the committee, at the time of his death; but the inquiries which have been made re-

specting them have not led to their discovery.

4 By the treaty of peace with Tippoo Sultan in 1784, it was stipulated, that the natives of the Carnatic who, during the late war, had been carried captive to Mysore, should be allowed to return to their own country. But the encouragement afforded to these people by Tippoo to settle in the kingdom of Mysore, on the one hand, and the difficulties arising from the want of adequate means to return, as well as the exhausted and uninviting state of their native provinces, on the other, rendered the benefits of this stipulation nugatory. As an object of great public utility, the committee were earnestly solicitous to remove these impediments, and Mr. Dighton, then superintendent of the company's jaghne, received at various times, during the years 1784, 1785, and 1786, the sum of pagodas 2,300, for the distribution of which among the riots, weavers, &c a discretionary power was vested in him by the committee. Mr. Dighton's statements afforded the most satisfactory evidence of the utility and success which attended his exertions. Donations thus judiciously distributed in money or implements of husbandry, had the effect of inspiring with new life and hopes numbers of helpless and depending beings, of restoring many valuable manufacturers to the company, and, finally, of contributing to the recovery of those provinces from the desolate and depopulated state into which they were thrown by the combined evils of war and famine.

5 On the establishment of the asylum for female orphans, under the auspices of Lady Campbell, in 1786, the assistance of the committee

mittee to promote that benevolent institution was solicited. The flourishing state of the fund, admitting of such aid without detriment to objects of more immediate and especial concern, the committee conceived it conformable to the spirit and intention of the trust imposed in them, to assign over to that institution bonds to the amount of pagodas 6,000.

6 For the reasons adduced in the preceding paragraph, the committee, on the proposal for establishing an asylum for the male orphans of the military on the coast, resolved to appropriate the interest arising from the principal sum of pagodas 8,000 towards the support of that laudable establishment. This assistance was granted from the year 1788 to 1797, when the state of the poor fund would not allow, nor did that of the asylum require, a continuance of such support.

7 In consequence of an advertisement in the Calcutta Gazette of the 10th of July, 1788, intimating that the province of Bengal was threatened with the calamity of famine, for the prevention of which the inhabitants of Calcutta were invited to contribute by pecuniary subscriptions, the committee, actuated as well by those feelings of benevolence which are always due to fellow creatures in distress, as by a grateful remembrance of the liberal aid afforded by the supreme government and inhabitants of Calcutta to the native poor of the Carnatic, during the prevalence here of the late famine, determined to avail themselves of an opportunity which offered at that time of forwarding a supply of grain for the benefit of the distressed natives of Bengal. Eight hundred and twenty-two bags of rice were accordingly

forwarded, and measures were arranged for the dispatch of further supplies, but these were happily rendered unnecessary by the removal of the apprehension of scarcity.

8 In 1792, the attention of the committee was directed to the means of affording accommodation and subsistence to distressed natives to the number of 1200. Of these many had been compelled to seek refuge at Madras, from the outrages of a party of predatory horse belonging to the enemy, and the rest were those who had emigrated from the northern Circars, which at that period of time were a prey to all the miseries of a desolating famine.

9 In April, 1799, the committee were again solicited to contribute to the support of a public institution we allude to the native infirmary projected by Mr. Underwood. An establishment so intimately connected in its object with those to which the benefits of the poor fund were applied, demanded every aid which it was within the ability of the fund to afford. The committee accordingly resolved that 400 pagodas, being about the amount of the unappropriated annual income of the poor fund, should be subscribed yearly towards the support of the native infirmary during the pleasure of the committee; and this sum was regularly paid till the year 1803.

10 Until the introduction of vaccination into India, the encouragement among the natives of the practice of inoculating for the small pox, was an object of the committee's earnest and constant solicitude. The measures which were pursued for this purpose not having been attended with the desired success, the committee, in
January,

January, 1800, by advertisement in the newspapers, offered a reward of one pagoda to the parents of each native child that should be inoculated during that season at Madras

11 During the war with Hyder, in 1782, an order had been issued by government that all buildings, within a certain distance of the black town wall, should be thrown down. The place called the Monegar Choultry, having antecedently to the date of the order, been allowed by the proprietor to be appropriated to the accommodation of the numerous paupers whom the miseries of war, aggravated by those of famine, had driven to the presidency, the government was pleased, at the instance of the committee, and in consideration of the useful and benevolent purpose to which the Choultry was applied, to admit an exception of the order alluded to

The Choultry, after the termination of those calamities, continued to be occupied by such paupers as were not in a condition to obtain by industry the necessities of life. The number of such persons supported by the poor fund was liable, as may be supposed, to continual variation

It may be observed, except on the occasion we have adverted to, which occurred in 1792, and in the instance of the present scarcity, that the number has rarely been fewer than forty, or has exceeded one hundred. Small sums of money were expended at different times on the building, as well in repairing as extending it, and rendering it more comfortable and commodious.

In the year 1802, the heir of the late proprietor represented to the committee that the Choultry,

with the ground belonging to it, was his property; and he required that they should either pay him the value of it, or remove the poor elsewhere

After various enquiries regarding the validity of the claim, an official reference was made on the subject; which, confirming the right of the claimant, the purchase of the premises, on account of the poor fund, was at length concluded, for pagodas 2,500

12 On the occurrence of a vacancy in the committee, the method usually had recourse to in other charitable establishments has been adopted. The deficiency has been supplied by the election of a member of the same denomination as the person by whose removal or death the vacancy was occasioned.

13. In reviewing the operations of the poor fund, we have now arrived at that period when the attention of every person was engrossed by the alarming effects to be apprehended from the failure of the usual rains in 1806. The extensive territory lying between the Kishnah and Coleroon, had sustained almost an entire privation of this chief source of fertility and plenty. Apprehensions of a future famine gave rise to an immediate artificial scarcity. The price of grain became enhanced; and numbers, deprived of their accustomed agricultural employments, resorted to the presidency in the hope of obtaining a livelihood by other exertions of their industry.

14 During the latter part of December, 1806, and beginning of January, 1807, the number of paupers soliciting food at the Monegar Choultry was daily increasing. On the 16th January, upwards of 600 men, women, and children, were

were fed. On the 19th, the committee assembled for the purpose of devising means for the relief of the poor. Under a conviction that a severe scarcity, if not an actual famine, would this year afflict the Carnatic, the committee resolved that it behoved them to provide a large stock of grain for the use of the poor at Madras, and, if necessary, that the whole amount of the fund should be expended in this manner. That, in order to provide against the probable inadequacy of the present fund to meet this extensive and terrible calamity, and to insure the permanency of the establishment at the Monegar Choultry, the beneficial effects of which had been experienced nearly 25 years, that a charity sermon be preached at St Mary's church, and subscriptions for the benefit of the Native poor immediately solicited at the several presidencies of Madras, Calcutta, and Bombay.

15 Early in February, the government liberally and judiciously determined to afford employment to all who were able to work, both at Madras and throughout the districts which were deprived of the benefit of the late periodical rains. This wise resolution, while it tended to relieve the poor fund from the obligation the committee otherwise would have conceived themselves under, of affording these poor creatures the means of subsistence, restrained, in a great measure, emigrations to the presidency, and thousands were usefully and advantageously employed, who must either have perished from want, or proved burdensome to the community. The pay which they received, while it was adequate to their support, was so far below the ordinary rate

of labour as to prove that the benevolence of government would not be liable to abuse, and that those only would avail themselves of its liberality who were objects of compassion, and unable to obtain employment elsewhere.

16 The government, having thus humanely undertaken to provide for every one capable of corporeal labour, to the care of the committee devolved those who, from the debility of infancy or extreme age, from infirmity, sickness, on any other cause, were unable to minister to their own wants. Of such objects of compassion, an account of the number fed each day, has been published monthly in the government gazette. On the 6th instant, the number of men, women, and children, amounted to 4,050. In this number are included besides those maintained at the Choultry, and at the recently-erected inclosure in the vicinity of the powder mills, 243 persons who are permitted to reside at their own habitations. As these are all of respectable families, and have been reduced by ill fortune to a state of indigence, their residence at the Choultry has not been insisted on.

17. The ground belonging to the Choultry being encompassed by a hedge, the disadvantages of so insecure a fence, when the number of Paupers became considerable, were quickly discovered. The hedge was broken down, egress and ingress at any time were easy to all, and it was found impossible to restrain outrage, peculation, and a variety of abuses. As a measure of immediate expediency, it was determined that a stockade of palmiras should be formed, by which those persons, who were not objects of commiseration

ration might be excluded. This was of advantage; but the purpose was not effectually answered, and the space included within the stockade, when the panpers amount ed to 2 or 3,000, was too confined, and their situation was rendered still more deplorable by the want of suitable sheds and accommodations. It was determined, afterwards, that the most eligible and ultimately economical plan would be to inclose the premises within a substantial wall, ten feet in height, from the top of which should slope along its whole extent, sheds, supported on brick pillars. It was also determined that the space within the wall should be levelled, that suitable cook-rooms, offices, and a guard house, should be erected, and that the old building should be completely repaired.

18 A contract was accordingly entered into for the performance of these works within a limited period, for the sum of Pagodas 2,130, from which is to be deducted the original costs of the palmiras forming the stockade, for which the contractor stipulated to allow

19 Antecedently to the commencement of this building, it was deemed of importance to purchase two additional small pieces of ground, to be inclosed within the wall. This was done at the moderate price of pagodas 80.

20 With respect to the subscriptions at the several presidencies, 12,440 pagodas and 8 farams have been contributed at Madras, sicca rupees 37,301 at Calcutta, and, according to the last advices, rupees 20,360 at Bombay, forming an aggregate sum of pagodas 29,717,10.

21 The subscription at Calcutta having been applied to the purchase of grain, there is now in store rice

to the amount of 8,522 bags, or garce 147, maricals 255, which consequently forms a part of the new fund. But as the expenses of the grain which has been imported exceed the amount of subscriptions in Bengal, a balance arises of upwards of pagodas 3,000 for which the new fund must be debited. The amount of the old fund, on the 31st December, 1806, has been stated in the address already referred to, at pagodas 18,343.26.49. By the accompanying accounts, it will be observed, that after defraying the charges of all the grain that has been expended in the subsistence during 7 months, on an average of about 2,560 persons daily, after allowing for the sum which will be due to the contractor on the completion of the wall and other buildings, and after the payment of every demand against the establishment to the present day, we resign to the trustees who may be appointed for the new contributions, besides the proprietary right of the Monegai Choultry, a clear balance in cash and grain of pagodas 7799 28 65.

22 Sensible of the valuable services of the acting secretary, the committee unanimously resolve to express their public thanks to Dr. Sherwood, for the able and zealous manner in which he has disinterestedly discharged a troublesome office.

(Signed) R H Kerr,
E Vaughan,
W Webb,
J Baker,
J Tulloh,
John D'Fries,
J D'Monte,
John Shamier,
N Andah Chitty,
Arnachellum Chitty.
Madras, August 10, 1807.

Colonel

Colonel Gillespie.

On the occasion of colonel Gillespie's recent departure from his command at Arcot, the following letter was addressed to that distinguished officer, by the officers of the 22d dragoons, to which he sent the annexed reply

To Lieutenant-colonel Gillespie,
commanding the cantonment of
Arcot

SIR,—We, the officers of the 22d dragoons, fully sensible of the gallantry, urbanity, and honourable conduct displayed by you upon all occasions, beg to express the regret we feel at your departure from this cantonment; and, at the same time, to lament that we should have served so short a time under your command.

We heartily wish you health, happiness, and success, and are,
Sir,

Your very sincere friends,

J. Hare, lieutenant-colonel 22d dragoons;
R. Travers, major; J. Gordon, captain, T. Chadwick, captain, R. Miller, captain, J. Adshed, lieutenant, B. T. Smith, lieutenant; J. W. Parsons, lieutenant, R. Slegg, lieutenant, F. Hale, lieutenant, G. Kier, lieutenant, D. Stewart, cornet, F. Edwards, surgeon, H. Davis, lieutenant-colonel, 22d dragoons, H. Broome, captain, W. Blunell, captain, J. F. Paterson, captain, L. Hook, lieutenant, C. Dudley, lieutenant, J. Vernon, lieutenant, N. Dalrymple, lieutenant, C. J. Cozens, lieutenant, J. Eden, lieutenant, C. T. Ellis, cornet, E. H. Hutchinson, P. M. F. Tymon, assistant-surgeon

Arcot, December 26, 1807.

To Lieutenant-colonel Hare, and
officers of His Majesty's 22d
Light Dragoons.

SIR,—The good opinion of the officers of that respectable corps, His Majesty's light dragoons, have honoured me with, is most grati-

fying,—as a soldier (to whom reputation is dear) most flattering, as an individual, pleasing

Allow me, therefore, to return my most sincere acknowledgments, and to assure you it is more than reciprocal, the regret that I feel, in being removed from the society of a corps with whom I should have been on terms of intimacy, and with whom I should have gloried to have sought honour, opposed to the enemies of our country.

Believe me to remain, my dear Sir, with regret and esteem, your very obedient servant and friend,

(Signed) R. ROLLO GILLESPIE,
Lieut-col 8th Light Dragoons,
Arcot, Dec 26, 1807

To L. Motard, Esq Member of
the Legion of Honour, and Cap-
tain Commandant of the French
Frigate *La Semillante*.

DEAR SIR,—Having at length reached that port which the chance of war has destined us to enter, we hasten to request that you will be pleased to accept our sincere and warmest acknowledgments for the many very polite and kind attentions you have shewn to our wants and comforts, during a period of nearly ten weeks we remained on board the frigate you command

We are well aware of the unpleasantness of the situation in which you have been placed, in having to conciliate the minds of a body of men, whose language, and even habits of life, in many instances, widely differ from yours, and whose nation is, at this period, unfortunately at war with your own, but, at the same time, feel happy in the occasion now afforded us of bearing honourable testimony to the perseverance you have evinced in the attempt, and ultimate

success

success in so arduous an undertaking.

We have, also, to request you will have the goodness to express to your officers the grateful sense we entertain of the kind attentions they have on all occasions shewn us.

Mrs Meik begs leave to add her tribute of praise, and truly grateful thanks, for the extremely polite and delicate manner in which you have at all times conducted yourself towards her. With sincere good wishes for your health and happiness. We remain,

Dear Sir,

Your much obliged and
very obedient servants,

R. Turton, lieutenant-colonel, Bengal
artillery, J P Keasbury, captain,
Madras establishment, C Bean,
late commandant of the Gilwell,
W Richardson, late commandant
of the Alitheia; R. Dickie, late com-
mandant of the Elizabeth, W C
Ord, late passenger on the Alitheia.
Port Napoleon, Nov 1st, 1807.

Herrier Chatter Meeting
November, 1807.

The gentlemen assembled at this meeting, observing the great improvement which had taken place in the breed of horses under the management of major Fraser, resolved to present to that gentleman a piece of plate. The resolution of the subscribers was communicated in the following correspondence :

Major William Fraser.

SIR,---The gentlemen assembled at the last Herrier Chatter meeting, observing the great improvement which had taken place in the breed of horses, in the provinces under the British government in Bengal, and sensible that this improvement was principally owing to your zeal and assiduity

in the management of the company's stud at Pusa, entered into the resolution of requesting your acceptance of a piece of plate of the value of 500*l*. A majority of the subscribers have deputed me to make known to you their sentiments on this occasion ; a task I have readily undertaken, as I sincerely concur with them in their opinion, and have, from the first establishment of the stud, personally been a witness to the success of your exertions.

The amount of the subscription will be remitted to Europe, that the resolutions of the subscribers may be carried into execution.

I am, Sir,

Your obedient humble servant,

(Signed) C. BODDAM.
Chuprah, Aug 17, 1808.

*To the Right Hon. Lord Minto,
Governor General, &c &c &c.*
Fort William.

MY LORD,---It is with the deepest regret I have the honor to inform your lordship, of the loss of the honourable company's extra ship Travers, under my command, on the 7th of November, at 5 o'clock, A M on a rock, detached from the Sunken island, in L 15, 28 N Lon. 94, 20 east, Diamond island, bearing W by N---distance about 3 miles,---Sunken island S W by S distance one mile and a quarter. But I feel myself still happy in saying, the passengers, officers, and ship's company, with the exception of six Europeans, seven Chinese, and three Lascars, were all saved, and have been received by captain Heming, of the Earl Spencer. The deplorable state we were all in, having nothing but the clothes we had on, left most ample room for the display of his generosity. I now further beg leave to intrude upon

upon your lordship, a detail of this most melancholy catastrophe

About ten minutes before five o'clock, A. M. on the 7th of November, when in our station on the starboard quarter of the Monarch, with the Earl Spencer in company, having hove the lead and got ground in twenty fathoms mud and fine sand, I went over to leeward, and saw breakers on the starboard beam and a head. I immediately hauled the ship close to the wind, but unfortunately, notwithstanding our exertions to clear the reef, we struck, about five, A. M. on a rock detached from Sunk-en island, the other two ships passing considerably within hail. The cause of their escape, I believe, was from my hailing and firing guns. At this time, the mizen mast went 15 feet above the board. The ship then bilged on the starboard side, and, in about five minutes, we lost the rudder, and the stern posts gave way. Finding it impossible to get the ship off, I ordered the main foremast and spare anchors to be cut away, and threw over the starboard guns to ease her. I then sent an officer down to secure the packets, which I regret was impracticable, as the water was level with the gun deck, part of which had given way. As it was now day-break, and we clearly could distinguish the ships standing on their course, we hoisted our ensign to the stump of our mizen-mast, with the union downwards; ---but not seeing that to have any effect, our only resource was now in our boats, which, with the greatest exertions of the officers and crew, having no masts left to which we could affix tackles, we were obliged to cut the gun-wale down to launch the long boat, and by dint of strength,---a labour which was rendered doubly difficult by

the uneasy state of the ship, the sea having by this time made a complete breach over her. By seven o'clock, I had the happiness to see all the ladies, passengers, and crew, with the exception of the sixteen men mentioned, in the boats. The weather was so extremely squally, and a heavy sea running, I thought it not safe to allow more than ninety-three persons in the launch, she being so extremely deep, and eighteen in the cutter; but ordered the jolly boat back, though she was also very crowded, to endeavour to bring off as many of those remaining as possible; which I am sorry to say, from their obstinacy in persisting of not coming without their baggage, the officer was unable to effect,---excepting three. When we put off our situation was still more distressing, as captain Hawes of the Monarch, the senior officer, followed by the Earl Spencer, had gone to so great a distance, that we could not discern the ships. I had in my pocket a compass, and steering W S W in about an hour and a half descried them at a distance of about ten or eleven miles. The boats shipping much water kept us constantly bailing, which gave me at one time much apprehension, from the severity of the weather, of our not being able to reach them. But, to our great joy, about 11 A. M. we were all safe on board the Earl Spencer.

I cannot close my letter without mentioning to your Lordship, the extreme good conduct of my officers and ship's company, whose behaviour throughout this disastrous and dreadful scene, was most exemplary. I must also beg leave to call your lordship's attention to the most distressing state of myself, officers, passengers, and crew,

(among

(among whom are several ladies) who have all lost every thing we possessed

I must also humbly solicit your lordship to order as early an investigating it, as possible of the cause of the loss of the Thavers. As I conceive no blame can attach to me, I have no doubt but I shall be able to give your lordship a satisfactory justification of my conduct, in the whole of this unfortunate business

I have the honor to be, with respect,

My Lord,

Your Lordship's most obedient,
most humble servant,
(Signed) J. COLLINS.

ADMIRALTY-OFFICE,

December, 17

Copy of a letter from Rev-Admiral Sir Edward Pellew, 1st. Comman-in-chief of his Majesty's ships and vessels in the East Indies, to the honorable Wth Pole, dated on board his Majesty's ship Culloden, in Bombay Harbour, the 7th April.

SIR,—I request you will transmit to the right honourable the lords commissioners of the Admiralty, the inclosed letter from lieutenant William Dawson, acting in the command of his Majesty's ship St. Fiorenzo, stating the particulars of the capture of La Piedmontese French fugate, mounting fifty guns, on the 8th ultimo, in the gulph of Manaar.

In making this communication to their lordships, I am desirous of expressing those mingled sentiments of admiration and concern which I experience in the loss of Captain George Nicholas Hardinge, who fell in the moment of victory, after

having exerted, during three successive days, the most remarkable zeal, gallantry, and judgment, in the conduct of this very brilliant action. His Majesty's service has been thus deprived of a most excellent and distinguished officer, of whom the highest expectations have been justly formed, from a knowledge of his many great and excellent qualities.

The merit of Lieutenant William Dawson, upon whom the command devolved after the death of Captain Hardinge, is already well known to the board by his gallant behaviour on a former occasion, when he was severely wounded at the capture of the Psyche fugate by the St. Fiorenzo, in which nearly the whole of her present officers and crew had the honour to share.

The manner in which he continued the action, which had been so nearly concluded by his lamented Captain, and finally conducted it to a successful issue, will, doubtless, secure to him the high approbation and recompense of their lordships.

The undaunted bravery, the animated and persevering exertions of every officer, seaman, and marine, on board the St. Fiorenzo, have been truly worthy of the beloved country in whose cause they have been so nobly engaged,—the public gratitude will be commensurate with their eminent services.

I learn that the St. Fiorenzo had arrived with her prize in safety at Columbo, from whence she may shortly be expected at this port.

I have the honour, to be, &c

EDWARD PELLEW.

His

His Majesty's ship *St Fiorenzo*,
at Sea, March, 2

SIR,---It is with great regret I have to inform you of the death of Captain Hardinge, late of his Majesty's ship *St Fiorenzo*, who fell gloriously in the early part of an action on the 8th instant, between his Majesty's ship *St Fiorenzo*, and the French national frigate *La Piedmontese*.

The *St. Fiorenzo* sailed from Point de Galle on Friday the 4th instant, at half past eleven, A. M. On the 6th, at 7, A. M. passed three Indiamen, and, shortly after, saw a frigate bearing N. E. We immediately hauled our wind in chase, and made all sail, being in that time lat 7. 32 long 77 58. We made the private signal, which was not answered, and at five shewed our colours, which the enemy took no notice of. At forty minutes past eleven, P. M. we ranged alongside of him on the larboard tack, and received his broadside. After engaging till fifty minutes past eleven, P. M. within a cable's length, the enemy made sail a-head, out of the range of our shot, we ceased firing, and made all sail after him, continuing to come up with him till day-light, when, finding he could not avoid an action, he wore, as did we also. At twenty-five minutes past six recommenced the action, at the distance of half a mile, gradually closing with him to a quarter of a mile. The fire was constant and well directed on both sides, though that of the enemy slackened towards the latter part of the action. At a quarter past eight

P. M. the enemy made all sail away, our main-top-sail-yard being shot through, the main royal mast, and both main-top-mast-stays, the main-spring-stay, and most of the standing and running rigging, and all our sails shot to pieces, and most of our cartridges fired away, (as our guns were directed at his hull he was not much disabled about his rigging,) we ceased firing, and employed all hands in repairing the damages sustained, and fitting the ship again for action. From the great injury our masts, yards, and sails had received, I am sorry to observe, that it was not in our power to renew the action immediately; we, however, succeeded in keeping sight of him during the night, and at nine A. M. on the 8th, the ship being perfectly prepared for action, we bore down upon the enemy under all sail, he did not endeavour to avoid us till we hauled athwart his stern, for the purpose of gaining the weather gage, and bringing him to close fight, when he hauled up also and made all sail, but perceiving that we came fast up with him, and that an action was inevitable, he tacked, and at three we passed each other on opposite tacks, and recommenced action within a quarter of a cable's length. With grief I have to observe, that our brave Captain was killed by a grape-shot the second broadside. When the enemy was abast our beam he wore, and, after an hour and twenty minutes close action, struck their colours, and waved their hats for a boat to be sent them. She proved to be *La Piedmontese*, commanded by Monsieur Epron, Capitaine du Vaisseau;

Vaissex, she mounts fifty guns, long eighteen pounders on her main-deck, and thirty-six pound carronades on her quarter-deck. She had three hundred and sixty-six Frenchmen on board, and nearly two hundred Lascars, who worked their sails. She sailed from the Isle of France on the 30th of December. In the action she had forty-eight killed, and one hundred and twelve wounded. The St Fiorenzo has thirteen killed, and twenty-five wounded, most of the latter are in a most promising way. A list of them I have the honour to inclose for your information. The enemy was cut to pieces in his masts, bowsprit, and rigging, and they all went by the board during the night.

It is now a pleasing part of my duty to recommend to your particular notice the cool, steady, and gallant conduct of lieutenants Edward Davies and Henry George Moysey, the latter, I am sorry to add, was severely wounded about ten minutes before the enemy struck. I also experienced very great assistance from Mr. Donovan, the master, by the judicious and seaman-like manner in which he laid us close alongside the enemy. To lieutenant Samuel Achmore, of the royal marines, I am much indebted, for the cool and determined courage evinced by him through the whole action. Indeed, every officer, petty officer, seaman, and marine in the ship behaved in the most brave and gallant manner, and nobly maintained the pre-eminence of the British flag. In the first boat from the prize came Mr. W. F. Black, assistant surgeon of his Majesty's 86th regiment, cap-

tured, by the Piedmontese on his passage to Madras, who rendered the surgeon great assistance.

I am also much indebted to the officers of the army, and the captains and officers of the country ships, who were prisoners on board the enemy, for the great assistance they afforded us with their Lascars, in erecting jury masts, and working the ship into port, as from our weak state, and the great number of prisoners on board us, we could spare but few hands from our own ship to send on board the prize. I have the honour to be, &c.

WILLIAM DAWSON.

To Sir Edward Pellew, bart Rear-Admiral of the Red, and Commander-in-Chief of his Majesty's ships and vessels in the East Indies.

List of officers, seamen, and marines killed and wounded on board his Majesty's ship St Fiorenzo, in action with La Piedmontese French national frigate, on the 6th, 7th, and 8th March, 1808.

Wounded on the 6th — William Pitt, seaman, slightly. John Treacy, supernumerary seaman, ditto. William Miller, seaman, ditto.

Killed on the 7th — Thomas Martin, seaman. Charles Smallwood, ditto. Robert Currell, ditto. John Middleton, ditto. William Mead, supernumerary seaman. Wm. Martin, marine. John Luff, ditto. Joseph Litchfield, do.

Wounded on the 7th — John Meadows, seaman, dangerously, since dead. Wm. Baldwin, seaman, lost a leg, since dead. George Byng, seaman, severely. John Finch, seaman, ditto. Francis Jackman, seaman, ditto. Walter Boze, seaman, ditto. Wm Long, seaman, do. John Acton, seaman, lost two arms. Phillip Ulrick, seaman, severely. Wm Wakefield, seaman, lost an arm. Richard Lock, seaman, slightly. William

Iiam John Brown, quarter-master, do
 John Elliot, seaman, do. Benjamin
 marine, ditto
Killed on the 8th — George Nicholas
 Hardinge, Esq, captain John Boer,
 seaman. John Burn, do. Evan Jones,
 marine.
Wounded on the 8th — Henry George

Moysey, lieut severely Thomas Gads-
 by, carpenter's mate, ditto Thomas
 Clerk, seaman, dangerously John
 M'Ewen, corporal of marines, ditto.
 Charles Richards, marine, lost an arm.
 Wm. Pope, marine, dangerously, since
 dead Henry Thorn, boatswain's mate,
 slightly Wm Davis, seaman, ditto.
 George Anger, seaman, ditto.

THE BOARD OF COMMISSIONERS

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OF THE
EAST INDIA COMPANY.

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 Sir William Bensley, Bart. 53, Berners Street.
 Jacob Bosanquet, Esq. Brosebournebury, Herts
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 Charles Mills, Esq. M. P. 15, New Burlington Street
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 Abraham Roberts, Esq. M. P. 49, Lower Grosvenor Street.
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 James Pathson, Esq. Hill Street, Berkeley Square.
 Campbell Majoribanks, Esq. 51, Berners street.
 John Jackson, Esq. M. P. 9, New Broad Street
 George Abercrombie Robinson, Esq. Woodcote Place, near Epsom.
 John Alexander Rannerman, Esq. 2 Harley Place.

The Chairman and Deputy Chairman are all of Committees.

The following gentlemen went out by rotation in April, 1810, viz

John Manship, Esq.
 Sir Francis Baring, Bart.
 Sir Hugh Inglis, Bart.
 Sir Theophilus Metcalfe, Bart.
 George Woodford Thellusson, Esq. M. P.
 George Mallet, Esq.

PROCEEDINGS AT THE INDIA HOUSE.

FOR 1808.

EAST INDIA HOUSE,

March 30th, 1808

A court of proprietors of the East India company was held this day, when the different accounts ordered by the bye-laws to be submitted annually to the court, were laid on the table

Mr Rock wished to be informed if these accounts would enable the proprietors to form any thing like a correct judgment of the general state of the company's affairs. He alluded to the practice of submitting to the court all such papers as were laid before the House of Commons when the India budget was regularly brought forward, and as it was understood that there was to be no budget this year, it was the more necessary that the proprietors should be possessed of such documents as would enable them to form some idea of the actual situation of their affairs

The CHAIRMAN admitted that the papers now laid on the table did not afford any satisfactory view of the state of the general affairs of the company.

Mr Rock repeated his wish, that every document necessary to enable the proprietors to form a judgment as to the actual state of the company's affairs should be laid before them as speedily as possible.

Mr. GRANT, said, it was not to be supposed that the court of directors would submit evidence to parliament to enable it and the public to judge of the state of the company's affairs, and would withhold similar evidence from their own constituents.

Mr. RANDLE JACKSON was of opinion that the anxiety of his brother proprietor was by no means surprising. He was convinced that

respectable gentleman meant nothing inconsistent with the forms of proceeding of the court, or derogatory from that feeling of confidence which it was natural for the court to place in its executive body. When the accounts were before the proprietors, a court would, of course, be summoned to consider of them, and then it would be in the power of the worthy proprietor to move such resolutions upon them as he might deem proper, or, if he should be of opinion that the accounts produced were not sufficient to enable the court to form a judgment, he could move for such additional papers as he might think necessary. He confessed that he himself felt particularly anxious as to the present situation of the company, and he knew that his was not a solitary feeling, but one in which many of the proprietors, with whom he had conversed, participated. Those who recollected the committee, similar to that now sitting, which had the company's affairs under consideration in 1802, must necessarily feel anxious that the progress of the present committee should be watched. Some innovation or alteration might be in agitation, and if so, it was necessary to see that the guarantee of the privileges of the company should go hand in hand with it. Guarantee was a slow-paced companion to innovation where they did not start together. He did not distrust the great body of the present ministry — he believed many of them to be as honest men as ever ruled a nation. Governments, however, would be governments, and must even, in some measure, yield to the prejudices of the people. There was no

subject on which the public were so completely prejudiced, or so radically mistaken, as with respect to the East India Company. It was but recently that the public had known that the country, and not the company itself, managed the company's political concerns. If the company had committed any mercantile sins, the committee now appointed, probably, would judge of them, and visit them as such. He wished the public to know, that since 1784, the country was an articulated partner of the company, and that all the company's affairs in short were managed by the direction of the public. There was another serious charge against the company, which he wished to set right in the public estimation---It was generally supposed that the company was indebted to government to the extent of five millions and a half, arising from the agreement to pay 500,000*l* annually. This sum, he wished it to be understood, was merely conditional, and to be demandable only in the situation of the company warranting the payment---a situation in which they had not been since the first year after the agreement was made. They had been at war ever since, and that being the case, the very terms of the act put it out of their power to make any payment to government. It was impossible to go about through this metropolis, and not hear the East India Company talked of, as defaulters to the country, while that country was not merely a partner, but the acting-partner in the concern. The learned gentleman (Mr. Jackson) assumed credit to himself for the part he had acted in regard to this 500,000*l*. Had he not interfered, that sum, instead of being contingent, would have been

absolute and unconditional, and the company would, at this moment, have been indebted to government to the extent of six millions. He was far from arraigning the conduct of gentlemen on the other side of the table in this business, but still he could not help congratulating himself and the company on the part he had then acted. He was convinced the directors would lend every possible attention to the interests of the company, and particularly to the progress of the committee now appointed to examine into their affairs. They would, however, at the same time, he was equally satisfied, place such liberal confidence in the proprietors as to call them together, whenever any thing, in which they were materially interested, should happen to transpire, assured, as they must be, that that court did not wish to meet from political or factious motives, but for the sake of deliberating on what was for the common interest of the company. They met as merchants, not as politicians. He again repeated, however, that the company ought not to part with any of its existing privileges, without a guarantee for those which were to be granted in lieu of them. He begged it to be considered as a leading proposition, that no innovation ought to be submitted to without a suitable indemnity.

Mr GRANT said, as to the committee alluded to, it was yet too young to have come to any opinion on the subject. He hoped, however, it was no part of the wish of that committee to trench on the privileges of the company as they now existed. He was a member of that committee, and he could discover no such disposition to prevail in it. So far from blaming the honourable proprietor for his anxiety

anxiety on account of the company, he thought him entitled to thanks for his attention. He trusted the proprietors were convinced that the directors would not willingly surrender the privileges of their constituents, but that they would be assured that the jealousy of their executive body would not sleep if any alteration or innovation on their rights was attempted. He agreed entirely with the learned gentleman in expressing his sorrow at the foolish prejudices which existed out of doors against the company, and in deploring the lamentable ignorance of the public as to the nature of their establishment. He was satisfied, however, notwithstanding these prejudices, that the company would not be sacrificed to them without a hearing. He also agreed with the learned proprietor, that nothing could be planned to any person who could read, than this, that the event in which the 500,000*l.* was to be paid by the company had never occurred, except in the first year after the act passed. With this explanation he hoped the court would be satisfied. Adjourned.

April 25, 1808.

This day a general court was held at the East India house, summoned on especial affairs, which was very numerously attended.

After the usual forms, the chairman (Mr. Edward Pausy) stated to the court that a deficit of two millions, four hundred thousand pounds, existing in the present accounts of the company, it was deemed expedient to prepare a petition to parliament for relief, and to submit the same for the consideration and approbation of the proprietors, the more especially as this step necessary, as

instead of the annual India budget, the state of the company's finances had been submitted to the examination of a committee of the House of Commons, who, he had the pleasure to say, were disposed to recommend it to the House to make an immediate payment on account of the debt due from government to the company, of 1 200,000*l.* The causes of the present deficit arose,

1st From the vast amount of the debt accumulated in India, in respect of the British territory, and the high rate of interest such debt bears.

2d The sums advanced for the various warlike expeditions.

3d The deterioration occasioned in the company, by a state of European war since 1793, by freight and demurrage, which in the course of sixteen years has created an increase of expense of 7,000,000*l.* sterling. By cost of the manufactures of this country, exported to the annual amount of about 1,600,000*l.* sterling, there has been an increase, which has not been counterbalanced by an increase in the selling price abroad in the same goods, nor by diminution in the cost of goods, purchased abroad for importation to Europe, and in diminution of profits on the India investments homeward.

4th The large supplies in goods and bullion between the years 1802 and 1806, for the purpose of extending the British trade to the East Indies, for which supplies there has been no proportionate return in consequence of the expenses of the war.

5th The unusually small investments from India, during the years 1803, 1804, and 1805.

6th The great advances made out of the funds at home, between
the

the years 1797 and 1807, for supplies in goods and bullion, which exceeded the returns from India and China, by the sum of 5,691,259*l*

The CHAIRMAN then stated, the unquestionable ability of the company to discharge all their present debts in England, and to repay any aid that might be afforded, for, independent of the Indian debt, only chargeable on the territories in India, on the 1st March last, the sum total of debts, with and without interest, including the debt due to his Majesty for customs and excise, then amounted to 9,122,621*l* whilst the sum owing by the public, and other good debts, and value of goods now unsold, houses, warehouses, &c amount to 14,149,623*l* whilst goods expected from India and China, in the course of the present year, will amount to 5,271,000*l*, which, together, would make the tangible property in England 19,420,623*l*.

The Chairman then moved, that the petition might be read, which having been accordingly done, the Chairman also moved, that the said petition be approved, the company's seal affixed thereto, and that the deputy chairman (Mr Grant) be requested to present the same to the House of Commons.

Mr. PRINSEP had no objection to the prayer of the petition for relief, but would by no means be implicated in a concurrence with all the allegations therein, as he could not instantly make up his mind in so vast a complication of figures.

The Deputy Chairman (Mr Grant) agreed with the honourable proprietor as to the propriety of the reservation he had claimed, but the time was precious; it was probable the House would them-

selves call for documents, when the proprietors would be able to examine the grounds of the allegation.

On the question being put—

Mr. RANDLE JACKSON went at some length into the grounds on which the petition was presented. He contended that the public were bound by a great moral obligation to concede to the relief prayed for, high national purposes had produced the present embarrassments, and it well became the nation to afford redress. Mr. Jackson, after dwelling on all the different reasonings stated in the petition, concluded a most able and convincing speech, by giving his assent to the question.

Colonel SCOTT, after thanking the learned proprietor for his able address in favour of the company's claims on the public, adverted to former days, and to the high obligations they owed to the company, so far back as the brilliant eras of Lawrence and Clive.

Mr. DIXON thought the court ought to make good their assertion of being able to discharge the loan; he was satisfied that there was not a ray of hope for such an event taking place. He never could see a justification for the present dividend from the profits of trade, the only calculation which could with propriety justify so large a division. The chairman had a great responsibility in asserting the future power of repayment. Under these assertions he should shelter himself in the vote he intended to give in favour of the petition.

Mr. LOWNDES spoke in his usual eccentric and forcible mode, in favour of retrenchments. He wished to be let into the palace of the *secret service money*. He should wish

wish to have his *interest*, but not inconsistent with his honour. He thought that the establishment should be reduced, and was for abolishing all the patronage, and giving the directors 1000*l* per annum, instead of 300*l*.

The Deputy Chairman had no objection to observations, provided they were considerate ones. He wished to answer assertions by official documents, and proceeded to prove the ultimate validity of the company's credit. He had no doubt but the company would soon be in possession of a large surplus. He defended the present dividend, which proceeded from a solemn compact between the Company and the public. With respect to economy, he agreed that it was necessary, and observed, that retrenchments were going forward in India, which would produce a million sterling. With respect to secret service money, it had been employed not to fill the directors' pockets, but on affairs which could not be explained, necessary for the welfare of the company.

Mr DIXON thanked the deputy chairman for an explanation which had greatly relieved his mind.

Mr LOWNDES explained with respect to secret service money.—it was patronage he alluded to.

Captain K SMITH said a few words.

Mr. Kemble was happy that the statement now produced afforded a more pleasing view of the company's affairs than had gone forth to the public. He expressed his perfect approbation of the question.

Mr LUSHINGTON was glad to find the company's future resources were so competent to meet their present embarrassments.

Mr M ROCK said a few words in justification of his former pro-

posal for a reduction of the dividend.

To which the Deputy Chairman and Mr. Randle Jackson most ably replied.

The question was then put and carried unanimously in the affirmative; and the court adjourned at past two o'clock *sine die*.

December 21

A quarterly general court was held this day, when the dividend on the capital stock of the company, from 5th July last to the 5th January next, was declared to be $5\frac{1}{2}$ per cent.

After the dividend had been declared, and the chairman had stated the tranquil state in which the last accounts left India,

Mr RANDLE JACKSON rose, to call the attention of the court to a subject of national consequence, and which, he said, had pressed much upon his mind for a considerable time past, but respecting which, recent circumstances had determined him to remain no longer silent. He meant the extraordinary and inexplicable, to him, ascendancy of the enemy's cruisers in the Indian seas, and the dreadful ravages which they had been tamely permitted to commit upon British property, and the still greater dishonour which they had brought upon the country. He rejoiced to have just heard from the chairman the account which he had given of the peace of India, and of the security of our Oriental possessions; he wished he could say as much for the security of the Indian seas, and the property which was necessarily adventured upon them. Who could believe, asked Mr. Jackson, that with a maritime force, greater than had been usually kept in these seas, the trade of them had been so completely unprotected, that the Calcutta insurance companies alone
had

had paid losses to the amount of more than two millions of money within the last seven or eight years ; and that in the month of September and that in the month of September and October only, of the year 1807, their losses had been upwards of 290,000 ; that these as well as numerous other captures, had been effected by two French frigates, and (principally) by the *Revenant* privateer of 16 guns, which latter had scoured those seas for the months together, and in fact blockaded, during that time, the Bay of Bengal, although a great maritime force, with an admiral's flag, and several pen-dants flying, were then lying within three hundred miles of this scene of depredation ? He understood it to be stated in a memorial (from which he gathered these facts) which he gathered from the board of Admiralty, that although the destruction of these frigates and of this privateer was known at the station of Madras, in September, yet at the date of the memorial, namely, in the December following, not a vessel had been sent for the protection of the bay, till at length the nuperial government of India had been compelled to do, what America had pretended to do on account of the confederated maritime strength of the world, namely, lay an embargo on its shipping, in order to keep them from the devouring jaws of this terrible privateer of 16 guns, which had had, it was said, the no less extraordinary good luck to preserve every one of its prizes from re-capture, though it had to send them through a known pack of three thousand miles to the Isles of Mauritius and Bourbon -- Mr. Jackson added, that the Madras government, with that feeling which became it for our fellow-subjects of India, labour-

ing under the horrors of famine, has advertised great encouragement to ships bringing corn for their relief, in consequence of which, the shipping interest had directed its attention to this object, when, shocking as it should seem, if the memorial spoke truth, no one ship that the memorialists knew of had been sent out to protect these vessels, the consequence of which was, that a considerable part of the provisions thus intended to save our subjects from death, had been captured by the enemy -- Mr. Jackson observed, that a marine could only be created, through the medium of commerce, or through that of ships of war, our great enemy not having the former means in his power, was known, though silently, and perhaps slowly, but surely, to be creating a body of most adventurous, hardy, and skilful sailors through the latter medium the whole of which he would call to his service, whenever the affairs of the continent should admit of his directing his energies to his marine. If his conduct in this respect did not declare his meaning, the encouraging proclamations he had issued to merchants, so to direct their capital, and to officers and seamen so to direct their valour, would sufficiently establish it -- Mr. Jackson said, he would not suppose it possible, but that the directors had made the strongest representations in the proper quarter, if not, he advised them to do so without a moment further loss of time -- he must say, that if they had found the forms of office in their way at the Admiralty, they ought to have applied to the minister, who, according to the practice of our constitution, was answerable for every department, and, failing there, they ought to have addressed

addressed themselves to the House of Commons, and laid their case before the country, the directors being as much bound to the protection of every legal settler in India, as of their own covenanted servants. Mr Jackson said, he did not pretend, nor could say where the fault lay, if with the commander, the board of admiralty that wanted nerve enough to recall such a man, ought to be dismissed by the minister, and changed for men of more comprehensive faculties, and more vigorous exertions. If the minister wanted courage to do this, he was not the minister for such a country in such times. Mr Jackson, after remarking on the afflicting and disgraceful accounts of a similar ascendancy in the West Indies, and of the repeatedly re-victualing and reinforcing of Martinique and Guadaloupe, the importance of the capture of which islands had ever been admitted of the utmost consequence, concluded with expressing his hopes, that the directors would feel this subject as it ought to be felt, and act upon that feeling.

THE CHAIRMAN (Mr PARRY) said that it had not escaped their attention, that the depredations had been most scandalous, arising, as they apprehended, from neglect somewhere, that the commander had been recalled some months past, and that he trusted precautions would be taken to prevent the recurrence of the evil so justly complained of.

Mr GRANT, the deputy chairman, went upon the same ground, but more at large, he observed that the directors had not till very recently any proper documents on which to proceed in making their representations, he was severe upon the memorialists, for not having applied to them in the first

instance, rather than to government --- He observed upon the conduct of different naval commanders who had been sent out, and how little influence the government of India had upon their conduct.

Major JOHN SCOTT WARING supported the ground which Mr. Jackson had taken and stated some military complaints, which he feared the directors would be deaf to till too late.

Mr ROCK alluded to a report out of doors, that the renewal of the company's charter was to be a subject of discussion during the next session, and wished to know if it were true, that gentlemen might prepare themselves accordingly.

THE CHAIRMAN and DEPUTY CHAIRMAN thought the question very premature, and rather declined answering it, assuring the proprietors, that whenever such a negotiation should take place, they would give them timely information of the probable terms.

Mr JACKSON said, the question was an extremely plain one, and such as he thought ought to be answered---it was "Whether or no it was the understanding of the directors that the renewal of the company's charter was to be discussed next session?" He said it was a subject of inconceivable importance to the country at large, as well as to the proprietors, and whenever they should meet upon the occasion, he hoped it would not be in the narrow spirit of mere proprietors of India stock, but as citizens of the empire at large, attentive as they ought to be, to their own due protection, but anxious to make our Indian territories of the greatest possible use to the parent state. He said, he thought the question alluded to ought to be answered, for the rea-

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son assigned for asking it, namely, that the country might be prepared, as it was known that men of eminent talents had directed their thoughts to the subject, as appeared by their publications, such persons, he thought, ought even to be invited to communicate their ideas. Our Indian empire was not, he hoped, the last, but certainly the greatest stake in the hands of the country, and, as ministers should use it would depend the prosperity of Great Britain or the contrary. Mr Jackson said, it would be too late to come and inform them of outlines previously agreed to, calling upon them, perhaps, to agree to some report, wrapped up in technicality, and enveloped in figures. --- Mr Jackson said, such had lately been the case with a great company, respecting which the minister of the day had thought proper to break in upon the terms of a new charter, solemnly settled by one of his predecessors, and forgetful of the maxim, which he was known eminently to practice in private life, had compelled a new bargain, which, according to his,

Mr. Jackson's conception of it, was as unjust as ever power insisted on, or imbecility had yielded to; he remembered, on the occasion to which he alluded, the understanding conveyed to the proprietors, amidst a mass of figures, was, that the directors had merely conceded their superfluities, though it was soon after found, when the conditions came to be understood, that much of their substance had been taken from them.

Mr GRANT repeated, that nothing had occurred by which *he was authorised* to say, that the discussion alluded to would take place the ensuing session.

Mr ROCK, referring to the late gift of one thousand pounds to the Spanish patriots, protested against the illegality of the directors giving away the funds of the company, however meritorious the object, without the consent of their constituents.

In this protest of Mr. Rock, Mr. Jackson and other proprietors declared themselves decidedly to agree.

The court then adjourned.

PROCEEDINGS IN PARLIAMENT

DURING

THE SECOND SESSION OF THE FOURTHth PARLIAMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND IRELAND.

HOUSE OF COMMONS.

Wednesday, February 24.

KING'S MESSAGE RESPECTING AN
ANNUITY TO THE FAMILY OF
THE LATE LORD LAKE.

LORD CASTLEREAGH presented a message from his Majesty, which was read by the Speaker as follows.—

"G. R. His Majesty having taken into his royal consideration the splendid achievements and eminent services performed by the late General Viscount Lake on the continent of Europe and in the East Indies, and being desirous to confer some signal mark of his favour upon his family, in order to enable them to support the dignity of the title conferred upon him, and for this purpose to give and grant to his eldest son, the present Viscount Lake, and to the two next surviving heirs, male of the body of the deceased, to whom the title of Viscount Lake and Baron Lake of Delhi and Laswary, and of Aston Clinton, in the county of Buckingham, shall descend, an annuity of 2000*l*. per annum, recommends it to his faithful Commons to consider of a proper method of enabling his Majesty to grant the same, and of extending,

securing, and settling such annuity upon the said Viscount Lake, and on the two next succeeding heirs, on whom the title of Viscount Lake and Baron Lake of Delhi and Laswary, and of Aston Clinton, in the county of Buckingham, shall descend, in such manner as shall be thought most effectual for the said Viscount Lake, and the two next male heirs to the title"—Resolved, That this house will, upon Friday next, resolve itself into a committee of the whole House, to take his Majesty's said most gracious message into consideration.

Monday, February 29.

The House went into a committee on his Majesty's message respecting an annuity to the family of the late Lord Lake

LORD CASTLEREAGH, in calling the attention of the committee to his Majesty's most gracious message, trusted that the propositions he had to offer in pursuance of that message, would find but little difference of opinion as to the propriety of acceding to it. When his Majesty called upon Parliament to substantiate those marks of his royal favour and approbation, which he conferred upon distinguished
naval

naval and military characters, the House of Commons always answered the call with promptitude and liberality. The reason why this application was not made immediately on the intelligence of the service done, and at the same time that the highest honour his Majesty could confer was bestowed on Lord Lake, was that Lord Lake was then absent in India, and it was not known that his circumstances were such as to require the aid of public liberality. After the return of the noble lord, which was soon followed by his much-lamented death, he received such marks of the favour of the crown, and other distinguished branches of the royal family, that he felt himself in some measure able to support his dignity without public aid, and he, of course, felt unwilling to come forward with such an application as that which gave rise to his Majesty's gracious message, now under consideration. This country had by his unfortunate death lost one of its most valuable military officers, and on inquiry into his circumstances, they were found inadequate to support the hereditary honours his Majesty had bestowed as the reward of his services. Thus, while the services were of that distinguished nature as to afford the strongest claim to parliamentary reward, the circumstances of the family were such as to strengthen that claim. Lord Lake's military life had been a succession of brilliant and meritorious actions, from the time of the American war down to his last campaigns in India. Some of his lordship's acts were such as to bring home to him, personally, the whole merit of the success of some of the most distinguished victories gained; among which he was

bound to particularize that of Lancelles by the British arms. Never, in fact, did any man present to his troops, in the day of battle, more striking examples of every quality that were calculated to inspire valour and to lead to victory. The same principle to which the French generals owed most of their victories in the late wars, that of exposing their own persons in every point of imminent danger and apparently doubtful issue, was eminently conspicuous in Lord Lake's military conduct. Whatever difference of opinion might exist, with respect to the policy pursued in the recent government of India, certainly there was room for no difference as to the importance of the services rendered by Lord Lake in the military department. This would be particularly felt at the present moment, when the French, meditating an attack upon our Indian empire, were obliged to wait to establish a footing, and to break ground in Persia, instead of commencing at once on the banks of the Jumna or the Ganges, with a Mahatta army disciplined and commanded by French officers. To Lord Lake belonged the merit of dispersing and destroying that army, and thus establishing the security of our Indian empire on a basis more solid. He did not think it necessary to enter more at large on the subject, as he felt that every one must be sensible of the value of the services of the illustrious deceased. He should also, to save the time of the committee, state now another motion which he intended to offer after the one founded on his Majesty's message should be disposed of. This was a motion for a monument to be erected to the memory of Lord Lake. He was aware that this

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was a testimony of public gratitude, seldom asked but when the individual fell in battle, in the moment of victory, or died of wounds received in the country's cause. But there were some few instances which were particularly distinguished from this rule, and when repeated signal victories had been gained without depriving the country of the life of the person who had achieved them. Lord Howe's life of glory had been thought worthy of this distinction, and he trusted there would be found equal ground to make a similar exception in favour of Lord Lake. This was a reward the most cheap, and an incentive the most powerful. He had further only to add, that as it was just and customary, that the pension should commence from the time of the act that called for the exercise of the royal prerogative and bounty, Lord Lake's forbearance from preferring his claim, should be no bar to the benefit being enjoyed from the date of the battle of Delhi, from which he derived his title. This extension of the grant would afford the means of making some arrangements for the benefit of the female part of the family, who, he was very sorry to say, were left in a most unsatisfactory state. The late Lord Lake having died before the application to Parliament could be made, his life was not counted as one of the three for which it was usual to grant provisions of this kind. The grant would be to the present lord and the two next heirs. The noble lord moved accordingly, "That the usual sum of 2000*l* nett be granted to his Majesty out of the Consolidated Fund of Great Britain, the said annuity to commence from the 11th of September, 1803, and be

settled, in the most beneficial manner upon Viscount Lake, and the two next succeeding heirs, male of General Viscount Lake, deceased, on whom the title of Viscount Lake and Baron Lake, of Delhi and Laswary, and of Aston Clinton, in the county of Buckingham, shall descend."

Mr WHITBREAD said, although he had no objection to go with the noble lord in the very high encomiums he had bestowed upon the military character of Lord Lake, and to acknowledge that he had rendered important services to his country, yet, whatever might be his own wish that those services should be remunerated with liberality, still he felt it a duty paramount to all delicacy upon the subject to declare his sentiments, when the purse of the country, already so heavily burthened, was in question. His Majesty's message proposed to the House, merely a provision of 2000*l* a-year to the two next heirs in succession of General Lake, but the noble lord had now proposed not merely to extend this annuity to another generation, but to give it a retrospective operation, to no less an amount than 9000*l*. The noble lord had pleaded, in excuse for not having sooner proposed this remuneration, the great distance at which General Lake was, but that circumstance did not preclude the knowledge of his services, nor prevent his Majesty from immediate remuneration, if it were deemed necessary, but at the end of five years to bring forward this proposition, and to claim arrears for all that time, though no remuneration was till now thought necessary, was what he could not accede to. The noble lord had been in possession of very lucrative

tive employments, which enabled him to receive large sums of money, so large, indeed, as to render it quite indecorous to come forward, during his life-time, with such a proposition as this; but no sooner was he deceased, than it was found out that his affairs were so embarrassed as to leave his heirs totally unable to support the dignity of the rank they inherited. Certainly, the condition of the family of Lord Lake, as represented by the noble lord, rendered the duty extremely painful of disapproving any provision for the successor of the noble lord, and to prevent, as it were, the peerage from being sullied, he would consent to the 2000*l.* a-year, but to the grant of 9000*l.* and the expense of a public monument, he should decidedly object.

Mr. W. DUNDAS supported the claims to the pension and the monument. He thought it the strongest recommendation of Lord Lake, that he had returned from filling one of the highest offices in India, comparatively poor.

Mr. M. A. TAYLOR admitted, that Lord Lake had had liberal allowances to support his dignity in the station he had filled, but his expenses were fully equal to them. The splendour of his appointments, the hospitality of an open table for his officers, and the well-known acts of his private munificence, had prevented him from accumulating money; and when it was recollected, that, at his decease, the only provision he was able to make for his several daughters was 1500*l.* each, he was confident, that a British House of Commons would never consider such a provision adequate for the daughters of such a man. Happy would it be for England, and for

India, if every commander sent thither, imitated the principles and the conduct of Lord Lake! He did not use his power for the purposes of plunder to enrich his family. He returned from India with only a fortune of 40,000*l.* to provide for a wife and seven children. Sir John Stewart had received his pension in consequence of his services, and that gallant general, although a single man, had declared to him he never could save any thing from the allowances assigned him, but if military officers, who happened to be married, were to devote their whole lives to their country's service, and were taught not to look up to their country for any provision for their children, left destitute by their deaths, it were better to pass a law at once, binding them to chastity, like Catholic priests, and thereby prevent them from having children to provide for.

LORD CASTLEREAGH had not thought it necessary to be so particular in stating the narrow circumstances of Lord Lake's family; but he believed that, in fact, these ladies would take, under the will, little more than half the sum mentioned by the honourable member who had just sat down.

General TARLETON supported the motion, and detailed the particulars of the storming of the trenches at Lincelles, defended by 6000 French troops, by 1600 British under Lord Lake. It was an additional claim, that the noble lord had returned from India in circumstances that formed a direct contrast with those in which Lucullus returned from Asia, and Massena from Italy. There could be nothing, in his opinion, more honourable to that noble lord's character, than that he returned from India

India poor, and died honourable. As to the proposed monument, it had his hearty assent, as he was convinced there was not a greater idol throughout the whole army than the late Lord Lake.

LORD FOLKESTONE said, he felt disagreeable sensations in opposing this resolution, but he did it upon general grounds. If the argument that had been used as to the late Lord Lake's poverty was good for any thing, it must go to this, that if any person who had signalized himself in the service of his country, should, notwithstanding his lucrative situation, die, leaving his family poor, they were to become a burden upon the public. He should forbear discussing the general services and merits of Lord Lake, as he had heard no arguments used that could justify the motion that had been made. He could not agree that a monument should be erected to his memory at the public expense, as that was an honour that ought not to be conferred on any officer who had not fallen in the moment of victory.

EARL TEMPLE differed from the noble lord who had just sat down, as he could not conceive there could be a greater claim to public gratitude than that which had been stated. In his opinion, Lord Lake's having returned from India to this country, and dying under the circumstances that had been represented, not only entitled his family to the consideration of the public, but shewed that he had acted in a manner highly creditable to himself, and honourable to the nation. He trusted, however, that the House would not suffer his children to remain in such a state of honourable poverty.

MR. SUMNER contributed his testimony to the eminent services and qualifications of the noble general. It was true, that the emoluments of his situation were great, but his private charities, and his generosity to the officers engaged in the same service, exhausted his fortune to an extent which it would be difficult to ascertain. As to the observation, that the application might have been made sooner, he should only remind the House, that so long as Lord Lake was in the enjoyment of such emoluments abroad, his disposition was such that he disdained making any application for further rewards at home. This inclination to withhold his just claim, gave that noble lord, in his opinion, a greater title to the gratitude of his country. He even thought, that what was proposed to be granted was not sufficient, and nothing prevented him from moving for a greater allowance, but his unwillingness to interfere with those whose duty it was to suggest and propose what they conceived proper upon such an occasion.

COLONEL WOOD said, that he never rose with greater satisfaction than he did in supporting this motion, for if ever there was a man entitled to the gratitude and esteem of his country, it was Lord Lake. He was unwilling to detract from the merits of Lord Howe, but he could not help thinking, that the eminent services of Lord Lake, in India, were of infinitely greater importance to the country, and well entitled him to that monument which was proposed to be raised to his memory.

MR. W. SMITH said, that he had information which induced him to believe that, although Lord Lake might have died worth only 40,000*l.*

40,000*l*. he brought with him from India nearer 140,000*l*. He thought that, in all such cases, a committee should be appointed to inquire into the actual circumstances of those who claimed pensions. If Lord Lake's poverty proceeded merely from his neglecting to embrace the opportunities which presented themselves to him of enriching himself, it would be the brightest jewel in his character. He had, however, reason to believe that such was not the fact. He had, however, no objection to the peerage being accompanied with a pension, as he thought not only dignity but independence should be attached to a peerage. He had understood, that the real cause of Lord Lake's dying in moderate circumstances, was, that he had honourably discharged, out of the money he made in India, those immense debts which he had previously contracted in this country.

Sir A. WELLESLEY said, that it was very true that Lord Lake was greatly in debt previous to his going to India, and to the discharge of those debts, the residue of his pay and appointments, after the necessary expense of his establishment was deducted, was constantly applied, and paid over to an agent that went from England for that purpose. As to the circumstances of Lord Lake's family, he knew that his family estate only amounted to about 800*l*. a-year, and that the money that he died worth, was only from 35,000*l*. to 40,000*l*. Such being the actual state of his circumstances, it was evident that the dignity of the peerage could not be supported by his successor, nor his family provided for, unless the House should agree to grant the pension.

Mr WHITEHEAD did not deny that Lord Lake had performed great services, but still he did not think those services of so pre-eminent a nature as to be entitled to such extraordinary rewards. In the actual circumstances of Lord Lake's family, he could not object to the usual pension of 2000*l*. per annum, although he must object to the additional grant. Applications to the House for pensions of this description were made on the ground of services, and not of poverty. When the great Duke of Marlborough rendered the nation important services, they were most munificently rewarded. The munificence of the nation in this respect, was not on account of the circumstances of the Duke of Marlborough, for he was not a poor man, but it was proportioned to the services he had performed. If Lord Lake had performed services of that description, the reward would have gone on the same principle. He believed that Lord Lake was a very brave officer, and much beloved by the army, but mere gallantry as an officer did not entitle any man to claim such rewards. If it were so, the honourable generals who had spoken might also claim pensions of 2000*l*. a-year although the House might be very well prepared to admit their merits, yet they would be very unwilling to grant them the pensions. In the present case, he saw no other plea for the extraordinary grant, except the necessities of Lord Lake's family.

Mr LUSHINGTON said, that as it was stated that the fortunes of Lord Lake's daughters and an excess 1300*l*. he thought it would be much better to give the sum of 9000*l*. among the younger children,

dren, than make it a present to the inheritor of the title.

Sir F BULDETT rose to enter his protest against the grant. He had two objections, one on personal grounds, and the other upon constitutional grounds. The personal objection was this, that when any individual came forward to claim a pension on the ground of services, those services should be of a very distinguished nature. There ought not to be any necessity for asking when and where those services were performed, but they should be services of that brilliant kind, that the fame of them should ring through the world. In the present circumstances of the country, when the people of England were burthened and exhausted with taxation, he did not think that any extraordinary grants of money should be voted as a remuneration for services which were not in themselves of extraordinary merit. This was the whole of the personal objection, as he did not deny that Lord Lake was a gallant officer, and had performed some services, although he differed with many honourable members as to the value of those services. His great objection, however, to the grant, was upon constitutional grounds. He thought that his Majesty had ample resources and means to reward every merit of this nature, and that there was no necessity for applying to Parliament to lay a new burden upon the people. He should ask, what had become of all those sinecures which were at the disposal of the crown, and under the patronage of ministers?—Whenever they had been alluded to in that House, it was always argued by ministers, that these things were very necessary, in or-

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der to enable the crown to reward eminent services, but, whenever there were any eminent services to be rewarded, instead of giving any of those places which it was pretended that they ought to have the patronage of, for the reward of eminent services, the real reward was always made to come by imposing an additional burden on the people. He should wish to ask the gentlemen on the other side, what kind of eminent services those were, for the reward of which those things were given? They were services which never saw the light,—services which none but the ministers knew any thing about. When, however, any real service was performed, they applied to Parliament to reward it, by laying additional burdens on an exhausted people. On this principle, he felt it his duty to take the sense of the House upon the motion, and call for a division. As to the merit of Lord Lake, he thought that was a very minor consideration. Whatever the merits of that gallant officer might be, the remuneration he received was not behind them. There were many other gallant officers who had performed services which had been by no means rewarded in the proportion that Lord Lake's had been. He believed that if Lord Lake were now alive, he would not consent to put in a claim for additional grants to reward his services, which grants must be another burden imposed upon an exhausted people. If his merits had been great, the merits of the people of England were not small. They had submitted with unexampled patience to privations and sufferings of every kind. If all merit was to be rewarded, where was their merit to find its remuneration?

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neration or reward? The only reward which they could receive was from the watchful attention of the House over their purse, and to prevent any unnecessary burdens being imposed on them.--- From these considerations, he felt it his duty to oppose the motion.

The CHANCELLOR of the EXCHEQUER said, that he should not feel it necessary to trouble the House with many observations, as the grounds, stated by his noble friend, appeared so generally to meet the approbation of the House. He perfectly agreed with the honourable Baronet who spoke last, that the people of England had a right now, and at all times, to claim from that House a vigilant attention to the economical management of their affairs, but he believed the honourable Baronet would not convince the House, or the country, that parsimony in rewarding eminent services was the best or truest economy. If, as the honourable Baronet had stated, the present times were times of great peril, there was the more necessity for marking their sense of distinguished military services. He could not see what practical object could be accomplished by declamations on the merits of the people of England, although it was undoubtedly true that they had considerable merit in bearing so well the burdens which the necessity of the times imposed upon them. But how was this merit to be rewarded? Was it by giving them pensions of this nature? If not, he did not see how that argument bore upon the present question. The honourable Baronet had talked of the unexampled means which the crown possessed of rewarding merit of this sort. He knew of no such unexampled

means; and the honourable Baronet might have known, that the crown was limited in the power of granting pensions on the Civil List, and could not give a greater pension than 1200*l.* per annum, which, after all deductions, would not produce more than 800*l.* per annum clear, and that would be evidently inadequate for the reward of such services as those of Lord Lake.

General GASCOYNE observed, that while the honourable Baronet thought that the merit of Lord Lake was no ground for the pension, a noble lord who sat behind him (Lord Folkestone) had contended, that the necessity of his family was no ground either. If, then, both the grounds of merit and necessity were taken away, the motion must be, of course, rejected. In speaking of the merit of Lord Lake, from his own knowledge, he would say, that he was as cool and intrepid as any man in action, and that his generosity was shewn no where in a more conspicuous manner than in the field of battle. He not only distinguished himself for his humane attention in visiting the sick and wounded, but he often supplied their wants from his own means. His table was not only open to his brother officers, but his wine went to the sick and wounded of the private soldiers. He did not think that the honourable Baronet would condemn an expenditure of this nature, or think that his family should suffer from his well-directed liberality.

Mr BANKES said that, under all the circumstances of the case, he must agree in voting for the motion. He believed, in general, that the rewarding merit was the best economy; yet, although he agreed in the propriety of the pen-

sion being now granted, he did not believe that the House could ever have been persuaded to agree to it, if it had been applied for immediately after the battle of Delhi, and when Lord Lake held such important and lucrative situations. He believed that he carried his wishes as far as any man, for every possible retrenchment in the public expenditure, but he disclaimed the idea of participating in the sentiments which had been delivered by the honourable Baronet, and which, he conceived, would produce no other effect except to cause discontent. He disapproved, generally, of the want of discrimination on the part of ministers, in bestowing titles upon persons who had not sufficient fortune to support their rank, and who must then become either pensioners of the crown, or burdens upon the people. There were more pensions of this sort given to persons of the most distinguished rank than the country were aware of. As to a public monument, he did not believe there was any case, since the death of Lord Howe, where that honour was conferred on any military officers, except those who died or received wounds in the field of battle. He begged leave, however, to assure the military men, who were the personal friends of Lord Lake, that in any observations he made, he was only actuated by public motives, and by no means wished to derogate from the character or services of that gallant officer, or to take away any thing from the fame and glory which he had acquired.

LORD G. CAVENDISH agreed with the honourable member who spoke last, that titles ought not to be bestowed without great consid-

eration, both of the services of the individual, and of his means to support the dignity and independence of the peerage. He thought the peerage was often very improperly given to military men, whose services were by no means of the first order. This, however, was not the case with respect to the gallant officer, whose merits and whose claims were now under consideration. He should think the House would act in aiggardly manner, if they were to refuse what was now proposed for the family of Lord Lake.

MR. LYTTLETON said that, although he did not pretend to be a perfect judge of the military merits of Lord Lake, yet every body had agreed that the merits of the noble lord were conspicuous, and that if they were not of the first class, they at least approximated very much to the first class. Instead of wishing that services of this nature should be rewarded by the crown, without the intervention of Parliament, he should wish the rewards of merit and public service to flow more immediately from the people. He wished the patronage of the crown was retrenched, and he thought the ministers would have come down to the House with much more grace, if, when they made an application for this grant, they had pointed out a corresponding retrenchment.

THE SECRETARY at WAR bore testimony to the professional merit and important services of Lord Lake. He thought that, upon constitutional grounds, it would be dangerous and improper that poverty and the peerage should be associated together.

MR. TIERNEY expressed a fear, that it would be considered, that the House shewed too great a re-

dness to dispose of the public money. He agreed implicitly with the honourable Baronet, that the House should anxiously watch over the expenditure of the public money, but he did not think the people would thank him for his anxiety in watching over the public expenditure, so far as to refuse a well-merited reward to a gallant officer. The first question which he thought ought to be considered was, whether he had deserved the peerage or not; and, secondly, whether the grant proposed was a proper one. He would not, however, allow that, whenever a peerage was granted on account of military services, a pension should be voted by that House. He should now take the opportunity to lay in his claim to protest against this doctrine on a future day, if it should be proposed in favour of other new-made peers, but as for Lord Lake, it must be allowed that it was almost impossible for any British officer to be placed in a higher or more responsible situation than he was, and then the question would be, how did he perform his duty in that situation? It had been generally admitted, that no officer could have conducted himself with more integrity. He could speak from the means of information which the situation he had lately held (President of the Board of Control) gave him. The merits of Lord Lake were not merely in the field of battle, but he conducted himself with great ability in some delicate negotiations with the native powers of India. He thought a person placed in a high and responsible situation, and who was eminently successful, did deserve the peerage, and that the grant proposed was not too much. The

utmost pension which the crown had the power of bestowing, which was 1200*l* per annum nominally, but really no more than 800*l* would be by no means an adequate remuneration for such services. As to a public monument, he could wish that that honour should be reserved exclusively to those generals who received their death in the field of battle. The East India company were, however, often liberal in those things, and as his principal services had been performed in India, he thought it would be becoming in them to take this part of the expence upon themselves.

Mr W SMITH said that, from the arguments he had now heard, he wished to retract the opinion he had expressed about the public monument. He defended the observations of the honourable Baronet from the constructions which had been put upon them.

Mr F BURDETT said, that he had been most entirely misrepresented by the right honourable the Chancellor of the Exchequer, as to what he had said about the means which the crown possessed of rewarding eminent services. He had not alluded to the Pension List, or thought of it; he alluded directly to the great offices, sinecures, and reversions, which ministers always pretended were necessary, in order to allow the crown the means of rewarding eminent services. He was surprised that the right honourable gentleman should have mistaken his meaning so widely, especially when that right honourable gentleman needed not to look beyond his own family to know, what sort of sinecures and reversions the crown had to bestow as the reward of eminent services.

If ministers had come down and told the House, that it was Parliament alone which ought to assign the reward to eminent services, and that, therefore, all those useless sinecures, pensions, and incumbances should be done away, the question would be entirely altered, and he should then have no objection to vote a liberal remuneration for any eminent services performed to the country: the right honourable gentleman best knew what kind of services it was, which was rewarded by such sinecures as his family and many others possessed. Their eminent services might be well known by the servants of the crown, but the people of the country knew nothing about them. Whenever the slightest service was rendered which could bear the light, for which could be stated to Parliament, there was immediately an application for a reward, which was not to come from what was in the patronage of the crown, but from an additional burden imposed on the people. An honourable gentleman (Mr. Banks) had thought it necessary to disclaim his political opinions, and all participation in them. This disclaiming of the honourable gentleman should not, however, make him hesitate to state those opinions to the House, whenever he was convinced that he was prompted by no indirect view, that he was labouring from no party motives, or any wish to bring in one set of ministers or turn out another, but exercising that duty of a member of Parliament which he conceived himself most peculiarly called upon to discharge. Standing, as he did, on a great constitutional ground, he did not feel that he was called upon to enter into a discussion on the personal merit of Lord Lake. Dis-

cussions of this sort were always most disagreeable, and there could be nothing more painful to a gentleman, than to be obliged to say any thing which would appear to derogate from the merits of a gallant officer who was no more, and who appears to have been beloved, and, perhaps, very deservedly, by his brother officers. He should, however, say, that the services of Lord Lake were not of the most distinguished rank, they were nothing like the services of Lord Nelson. He did not know that the country owed any particular gratitude to him, and he thought, that if one-tenth part of the rewards which had been given to Lord Lake in his life-time, had been distributed among many other gallant officers, whose merits had been unequalled, the army would have been much better contented. It was the opinion of many persons that his rewards far exceeded his services. As to the great victory that was spoken of at Delhi, he must ask, who ever went to India that did not win battles? When the brilliant victories of Lord Lake were mentioned, he might, if he pleased, mention also some remarkable failures. He did not wish, however, to go into this discussion, because he rested his argument not upon the circumstances of this peculiar case, but upon the general constitutional ground. He would not be prevailed upon by any false colouring of the services of this man, or of that man, to depart from the general ground of objection which he had considered it his duty to make. He should, therefore, persevere in taking the sense of the House; he should use this common expression, although, in fact, the sense of the House was known

as well before a division as after it. Another right honourable gentleman (Mr. Tierney) had appeared very anxious to guard himself from any suspicion that, by his vote to-night, he was departing from those political opinions which he professed himself to have been constantly attached to. The right honourable gentleman might make himself quite easy upon that head. He might be sure that he would not be suspected of acting from any other sort of principles than those which had hitherto guided his political conduct. After the explanation which had been made of the sentiments he had before delivered by an honourable gentleman, he did not feel it necessary for him to make any further explanations; but as he conceived that the present motion went to lay an additional and unnecessary incumbrance on the burthened and exhausted people of this country, he must persevere in his intention of resisting it to the utmost, and dividing the House upon it.

Mr. BIDDULPH stated his sentiments shortly against the motion, as he thought there was sufficient ability in the crown to grant the necessary reward. The gallery was then cleared for a division. While strangers were excluded, the House divided twice. The first was upon the grant of the pension generally. Ayes 210, Noes 26. The second division was upon the pension being granted from the date of the battle of Delhi: Ayes 202, Noes 15.

Wednesday, March 2.

LORD CASTLEREAGH, in calling the attention of the House to the notice respecting a monument to be erected to the memory of Lord Lake, which had been suspended

by a notice, having a prior claim to the attention of the House, on a former night, did not mean to recur to that notice, or again to offer to the House the motion which was the subject of it --- Having communicated with many persons devoted to the memory of Lord Lake, and participating in the high veneration in which he held the services of that gallant man, he found that it was the general wish of those persons to give way to the difficulties of parliamentary form that had arisen --- The family of the noble lord, deeply penetrated with a sense of gratitude for the vote passed the other night, was willing to rest its claims on the public bounty there, than press a point upon which many of those who had voted in approbation of Lord Lake's general merit and services, might be found in opposition. In this feeling he thought it his duty to concede; but he could not help lamenting that Parliament appeared to have laid it down as a principle, that the glorious testimony of a public monument was to be confined to the services of those who died in battle. Lord Howe's monument was the only exception to this rule, for that of Lord Cornwallis's stood on entirely distinct ground. He admitted that the limitation to those who died in battle was a good and convenient general principle. But at the same time, when monuments were held to be the most appropriate marks of public gratitude, as being at the same time most honourable to the deceased, and best calculated to excite emulation in the minds of posterity, it seemed to be a strange exclusion that prevented a Lord Lake, a Lord Rodney, and a Lord Duncan, from being found among
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the illustrious heroes thus consecrated to fame, while many persons of much inferior rank and merit were so honoured. The distinction would never be asked but for striking examples of merit and service, and the reward may safely be granted without the fear of deviating into abuse. It would certainly be no injury to those who fell in battle, to admit to a participation of this honour, those who had equally entitled themselves by victory, and who had no other bar to their claim, but that of a greater interval of time between their service and their death. It was not the death but the service that was the proper object of reward.

Tuesday, February 9, 1808.

CONDUCT OF MARQUIS WELLESLEY--OUDE CHARGE.

LORD FOLKESTONE moved, that the several papers presented to the House in January, February, March, June, and July, 1806, and in July 1807, be taken into consideration on Monday the 22d instant.

MR CREEVY seemed to think it would be better to refer the papers to a committee, to arrange and report on them, and that it would be necessary to have the dispatches of Lord Cornwallis laid before the House.

SIR ARTHUR WELLESLEY deprecated the great delay which had kept the charges over the head of his noble relative, during four years.

After some discussion between Mr. Lushington, Lord Temple, Mr. Perceval, Mr. Wyndham, and Mr. W. Pole, Lord Folkestone's motion was carried.

MR CREEVY then moved for the production of certain letters

written from India by the late marquis Cornwallis, containing his lordship's opinions and suggestions respecting the policy pursued by the Marquis of Wellesley in India, in respect to the Peshwa and the Nizam.

MR R. DUNDAS expressed some difficulty in producing one of the papers moved for, because it had not been communicated to the Directors, until after the noble marquis's death ---The production of some of these papers was also resisted, because it might "endanger the lives of persons in India who had been extremely serviceable to the British government" ---The motion was then modified and carried, after some debate, in which Lords Temple, Folkestone, and H. Petty, and Messrs Wallace, Windham, and G Johnstone, spoke to the question.

Monday, Feb. 22d.

LORD FOLKESTONE moved the order of the day for taking into consideration the papers relative to Oude.

MR CREEVY opposed the motion, principally on the ground that the papers were so voluminous, and so confused, that they should be first submitted to a committee in order to their arrangement, without which they could not, as he contended, be understood. After a warm discussion of Mr. Creevy's proposition, in which several members, who were friendly to the Marquis Wellesley's administration, deprecated any farther delay, and in which others professed their inability to do justice to the question in the state of things, the consideration of the merits of the question was deferred to Wednesday the 9th of March.

Wednesday, March 9.

The order of the day being read
for

for resuming the adjourned debate on the Bank Charge.*

The Marquis then rose, and began by announcing the alteration in his resolutions. He then observed, by way of preliminary observation on the complaint made by marquis Wellesley's friends of the delay in bringing forward this question. For his own part, he had used as much haste as was consistent with the importance of the subject, and the time in losses by necessity to read and patiently consider the voluminous documents produced and printed on the subject. He also disclaimed any attempt to prejudice the public mind against marquis Wellesley by means of the press, but he doubted extremely whether the friends of the noble marquis could say as much. He had seen, on these pamphlets on the subject, only one of which appeared in any degree hostile to the noble marquis, and the other two were written to bias the public mind in his favour, and were distributed gratis not only to the members of that house, but in like manner through all the principal taverns and coffee houses in London. Even some of the resolutions which he himself had first offered to the house, had been published in the papers with alterations and comments, and this publication he could with certainty trace to the friends of the noble marquis, from the circumstance, that they were precisely in the form in which he had transmitted these resolutions to them, but in which he had subsequently made some verbal alterations. He did not complain of this, he left the house and the country to judge of the fairness and decency of such a proceeding, and of the strength

of the cause which required such assistance, but he did say, that those who held such a conduct themselves, should have been the very last to cry out at any attempts to prejudice the public mind—All attempts, however, of the sort he utterly disclaimed for his part, and he equally denied the knowledge of any such by any other person—Having premised this much, the noble lord proceeded to his charges against the noble marquis, to which he attracted the serious attention of the house. If he should not be able to establish this case, no man would more sincerely regret than himself that he had ever trespassed upon the time of the house, but should he be able to sustain his case, he trusted the House would give to it the gravest consideration, and adopt those measures which a sense of public justice and national honour should dictate, unbiassed by feelings of favour or prejudice. The noble lord then proceeded to recapitulate the circumstances under which the interference of marquis Wellesley in the affairs of the reigning nabob of Oude originated, which interference terminated in the violation of a solemn treaty between the East India company and the nabob, and, by depriving that prince of all authority whatever, and conculc within his own dominions, left him entirely at the mercy of the East India company. In this case, the house were called on to judge between the noble marquis and the nabob, but he begged the house to recollect, that, in truth, there was only one party before them. The marquis Wellesley had every advantage. The case was to be tried on his own grounds—the only

* The official papers referred to in the debate, are to be found in the Asiatic Register for 1806.

only documents, his own accounts of the transaction. He was before the house, if not in person, at least represented by friends and relations, persons bound to him by ties of blood, by friendship, by services, by obligation. The nabob, on the other hand, had no representative but such as the justice of his cause and the cruelty of the oppression he had suffered had called forth. He had no means of telling his story; no opportunity of producing his proofs. The house ought to look with a partial and indulgent eye to his case. However, as the advocate of the nabob, he asked for reason, but justice, sheer naked justice--- justice founded on the facts as Lord Wellesley had himself related them, and he was sure that, if the house would but give a fair hearing to the case, these facts thus detailed would be sufficient to induce the house to mark, with the severest reprobation, the conduct of the noble marquis. He hoped, too, to afford some relief and mitigation to the unfortunate nabob. Lord Folkestone then proceeded to comment upon the treatment which the nabob had experienced from the hands of Lord Wellesley, as detailed in the papers on the table of the house, and, taking the course he had pursued in his resolutions, to make good the grounds on which they were founded.

In 1798, the nabob ascended the musnud of the province of Oude, and on that occasion entered into a treaty with the East India company, which, being the last compact between the two powers, must be considered as the rule of their future connection. It was a gross and disgraceful breach of that treaty with which Lord Wellesley was charged---a breach unaccompanied by any circumstances of excuse or

palliation, inasmuch as the other party, the nabob, on his side, ever showed himself a scrupulous and attentive observer of all the provisions of it. The treaty of 1798 provided, that the entire defence of the territories of Oude, as well against internal, as against external enemies, was to rest with the company, in return for which the nabob was to pay, by bi-monthly instalments, an annual subsidy of 70 lacs of rupees, or 912,000*l.* sterling, that for this purpose of defence the company should constantly retain in Oude a force of from 10 to 13,000 men, and that if at any time, the defence of Oude required the presence of more than 13,000 men, the nabob should deny the expense of the difference. By this treaty it was further stipulated, that if at any time the monthly instalments of the subsidy should fall in arrear, the company should then require security for the future regular payment of the same. All political power, and even all communication with other states was taken from the nabob; but full authority over the internal affairs of the country, "over his household affairs, hereditary dominions, his troops, and his subjects," was left to him by the express words of the treaty. The house should observe the circumstances under which this nabob mounted the musnud. By the interference of the company in behalf of its hereditary right, his predecessor, an acknowledged usurper, was removed. But it is to be remembered that this man, probably conscious of the weakness of his title and the instability of his tenure, had endeavoured to regain the affections of the people by unbounded largesses, so that, the hereditary took place, the new nabob had

them discontented at the change, and directed to his person -- Again, the two preceding reigns had been signalized by great profusion and expence, the affairs of the country had been neglected, its finance dissipated, agriculture neglected, the treasury emptied, and the most burthensome taxes imposed on the people -- Under these circumstances, considering the close connection subsisting between the company and the sovereigns of Oude, it was manifestly desirable to the former that a new and amended system of policy should be adopted, and a reform established in the civil and military arrangements of the country -- It certainly was no less the interest of the nabob -- it was his wish too -- we have frequent expressions of that wish, aye, and actions too in conformity therewith, notwithstanding all the accusations of Lord Wellesley to the contrary. According, then, to this evident interest of the two contracting parties, an article was inserted in the treaty of 1798, that such a reform should be set about, and that the nabob should advise with the Bengal government on the occasion. The nabob, on his part, faithfully acted according to this stipulation -- Numerous are the passages in the papers to which I could refer for proof of this assertion -- I will, however, only detain the house with one. It is a passage in one of Col Scott's letters; "the assertion made by his excellency of its being his desire to dismiss or get rid of his present troops by degrees is, I believe, strictly true; and consistent with that intention, he long ago prohibited the filling up of vacancies, so that the battalions called regular, excepting those under Alma's, are

not more than half their complement of men." And the house must not suppose that this exception of the troops of Alma was any contravention of this agreement, they are the troops which Sir J. Clive, in his evidence, states he could alone depend upon in the hour of danger; and the avowed disposition of their leader to appear independent of the nabob, and to look to the protection of the British, precludes the possibility of any favour having been shewn to him from improper motives -- Equally punctual was the nabob in fulfilling the other stipulations of the treaty. The subsidy was paid regularly to the day. This is over and over again acknowledged by Lord W., and we have Colonel Scott's own testimony, that "the nabob was determined in all things to fulfil, with minute regularity, his peculiar engagements with the Company. So much for the nabob, now for the Bengal government -- Four months had scarcely elapsed from the signature of the treaty of 1798, when Lord W. arrived in India; and he forthwith forms a plan in direct opposition to the provisions of it, "for the total reduction of the troops of the nabob." Other affairs, however, of importance, prevented his lordship from proceeding immediately in the business; and it was above a twelvemonth before any scheme of the sort was brought to maturity. At that period, however, having overthrown the power of Tippeo, he began to take steps for the purpose of putting into execution his project in Oude. With this view he orders troops to march into the country -- The professed object of their introduction, was defence against the threatened invasion of Zemaun Shah, but the real

real reason being so to overburthen the treasury of the nabob, as to compel him to disband his own forces; for the house will recollect, that those additional troops were to be paid by him. There was, however, another convenient motive with lord W., the relief of the company's finances. In vain did the nabob remonstrate against this measure, in vain did he plead the provisions of the treaty. Lord W. argued, that he was bound to defend him, and that it was impossible for him to do so, unless he maintained, in his dominions at all times, forces sufficient to contend against the most distant and improbable contingencies. The house doubtless would be astonished at such an argument being gravely stated and seriously urged, yet so it is, and on no better foundation were troops poured in upon the unfortunate nabob, till he was actually compelled, in order to find money for the payment of them, to disband his own troops. This resolution being once adopted, the work was proceeded in with diligence. No proposals of Scott's were objected to, the nabob patiently acquiesced in every suggestion, and things went on under his sole direction. One should therefore have hoped that the Bengal government would now at length have been satisfied, the means of security, which they wished for, were obtained, the interference, which they thought necessary, was accomplished, their troops were in possession of the country, and the nabob's power and person at their mercy. Not so, however, could lord W. be satisfied.—The country was exhausted, and there was danger that, at some time, the subsidy would not be regularly

paid. Harassed by renewed and increasing applications, the nabob at length expressed apprehension to this effect; he in truth accompanied it by assurances of his best endeavours to remedy the danger, and an offer to lay open the state of his affairs to col. Scott, and to consult with him how to provide the necessary funds. Overlooking this fair offer, lord W. could see nothing but the danger, which he immediately pronounced to be imminent and alarming, and such as to be removed by nothing but a cession of territory, the annual revenue of which should equal the full amount of the subsidy. Indeed, another proposition of a still more extensive nature was pressed over and over again: "the transfer to the company of the exclusive management of the civil and military government of the country" was asked for; but, notwithstanding all his efforts to obtain this *reasonable* request, lord W. was disappointed. It will not be necessary to detain the house by a narration of all the negotiations which arose upon these demands; suffice it to say, that after a very protracted negotiation, in which, on the one side, is displayed all the arts of chicanery, accompanied with threats the most undisguised, and language of reproach and reviling the most contemptuous and unmerited, while on the other, patient forbearing, and earnest supplication were alone manifested, the unhappy nabob was compelled to yield to the company a portion of territory of the alleged annual income of one crore and 35 lacks of rupees, or 1,620,000*l* in perpetual sovereignty, and to deprive himself even of all efficient government over the remainder. This forced cession was finally settled by.

by the treaty, as it is called, signed at Lucknow in 1802. "I do not wish," said the noble lord, "to detest the house, but I must offer a few observations on these proceedings. 1. The house will observe, that by the treaty of 1790, the company were bound to maintain, at all times, in Oude, a certain number of troops, and in case of necessity, to supply a larger number for its defence. That the constant stationary number was to be paid for by a fixed subsidy, and the increase by a proportionate increase of payment. Now it will appear evident, I think, that there could be no right to pour into Oude, and to burden the nabob with an increased number, unless a real, *loud*, danger existed. Any such danger was so far from existing at the time when Lord W. poured his forces into the country, that an attack of a pretended Golaum Hadier was made the pretext for the introduction of troops and was persevered in even after his defeat and death had removed the possibility (probability there never was) of any danger arising from his aims. And indeed Lord W.'s justification of this increase of troops in Oude is sufficient to prove the injustice of it. "It is impossible," says he, "to defend the country (which I am bound to do,) without maintaining at all times in it a force sufficient to resist remote and contingent danger." A more preposterous doctrine was surely never maintained. And let us see how he himself afterwards acted upon it. By the territorial cession he obtained revenues sufficient to provide pay for troops kept up to the number so required, did he then keep them up to that extent? No, not only did he never send that number represented by him as

absolutely necessary for the defence of Oude, but on one occasion, when the nabob expressed a wish that at least in return for the sacrifices he was about to make, he might have the security of such a defence, lord W. not only resists this demand as an injurious suspicion of the means of the company, but enters into a long argument to prove that he had no right to expect such protection. 2 The house will observe that, by the treaty of 1798, the East India company were only entitled to demand security for the future regular payment of the subsidy, when already fallen into arrears. The territorial cession was demanded as such security, but no arrears having been incurred, the demand was, by the terms of the treaty, premature and unjust. 3 It must be observed, that the demand of territorial cession to the extent of one crore and 35 lacks, or 1,020,000*l*. was calculated on the concurrence of various contingencies; the necessity of the presence of troops to quell the disturbances supposed likely to arise from the bad police of the ceded provinces; and to resist the invasion of Zemaun Shah; but demands were at the same time urged, which precluded altogether the necessity of these payments; in the first place by the treaty of 1802, the company reserved to themselves the right of superintending the police of the nabob's remaining territories, and at the time of the signature of the treaty not only was there no prospect of invasion by the Shah, but all future danger of the kind was removed by his death and the dismemberment of his dominions. 4 It is to be observed, that the value of the ceded provinces was taken at a reduced and low rate; that

that they immediately lose in value, and have regularly been returned as producing more than the revenue at which they were estimated, so that on their own shewing the Bengal government have extorted more than, on their own principle, they had any right to demand. 5

It should not be omitted that, during the whole of the negotiations recorded in the Oude papers, not only the utmost hauteur was constantly employed towards the nabob, but, at various times, demands of the most unjust and exorbitant nature were made on him, at one time the expences of an embassy to Persia, at another demands for payment of troops, the data on which such demands were made being avowedly false, the different corps being calculated as complete though they were acknowledged not to be so, and the presence of the corps themselves being extremely doubtful. 6.

There is another proceeding which makes a great figure in these papers, but which, as it does not finally affect the termination of the business, I have not insisted on.—I mean the negotiation set on foot in consequence of a proposal of the nabob to abdicate, of which I shall only say, that the conduct of Lord W. on that occasion seems to me altogether such as would have justified any jealousy of his interference and suspicions of his motives, which the nabob might subsequently appear to have entertained."

—After urging all these points at considerable length, Lord Folkestone concluded by exhorting the house to banish from their minds all feelings of affection and partiality, and do justice between the parties whoever they might be; and moved the first of the following 12 resolutions: viz.

1. "That it appears to this house, that on or about the 21st of February, 1798, the nabob, Saadut Ali, ascended the musnud of the province of Oude, and that he then entered into a treaty with the East India company, whereby it was agreed, that the said company should defend his territory against all enemies whatsoever, and for this purpose should constantly keep up in the province, a force of not less than 10,000, nor more than 18,000 men, in return for which defence, the said company was to receive from him an annual subsidy of 76 lacs of rupees, paid by monthly kists, (or instalments) that in case the defence of the country should at any time demand a greater number of the company's forces than 18,000 men, the nabob should defray the expence of the difference, that, in case the monthly kists should fall in arrear, the nabob should undertake then to give security for the future payment of the same, that the said nabob should maintain correspondence with no foreign state, unless with the knowledge and consent of the company but that he was to be allowed to 'possess full authority over his household affairs, hereditary dominions, his troops, and his subjects.'"

2.—"That it appears that the nabob's forces were composed of disorderly troops, unaccustomed to the rules of good discipline, and disaffected to his person,—that the nabob himself was extremely desirous to remedy the defects of their constitution, and to bring them into good order,—that, for that purpose, he made frequent applications to the government of Bengal, through the resident at Lucknow, for advice and assistance in forwarding this object, and in default

default of their co-operation, did himself adopt such measures as in a short time reduced his different regular battalions to "half their complement of men"

3 ---"That it appears that the nabob was scrupulously punctual and regular in the discharge of the monthly kists (or instalments) of the subsidy; and that ' whilst he was determined to fulfil with minute regularity the peculiar engagements with the company, his views were directed to the enjoyment of a full authority over his household affairs, hereditary dominions, and subjects, according to the most strict interpretation of the clause of the 17th article of the treaty executed at Lucknow "

4 ---"That it appears that notwithstanding this good disposition of the nabob, the Marquis Wellesley soon after his arrival in Bengal, formed a plan for ' the total reduction of the troops of the nabob, with the exception of such part as might be necessary for the purposes of state, or the collection of revenue, and, on or about the 5th of November, 1799, proceeded to take steps for putting the same into execution, ---that, for that express purpose, he ordered troops to march into the territories of the nabob, and to take possession of particular posts in the same, and that he persisted in this measure, though it was not even insinuated that any danger from foreign invasion existed at the time; and, though ' the late defeat of the pretended Golaum Hadier had considerably weakened the pretexs which his assembled numbers and first success afforded,' in opposition to the remonstrances and wishes of the nabob, and in direct violation of the spirit and stipulations of the treaty."

5 ---"That it appears, that the said troops were so marched into the province of Oude, under the belief that the funds of the nabob being insufficient to defray this additional charge, he would be thereby compelled to disband his own troops. ---that accordingly, about the 18th of December, 1799, the nabob having vainly attempted by intreaties and remonstrances to prevent the measure, did at length give a reluctant consent to the dismissal of his battalions, and on the 20th of February, 1800, issued orders to that effect, ---that from that time so far from creating obstacles or throwing difficulties in the way of their dismissal, he ' readily adopted every proposition' made by the resident for that purpose, so that by the month of December, 1800, twenty-three regular battalions, and upwards of 1,200 horsemen, had been discharged."

6 ---"That it appears that on or about the 22d of Jan. 1801, the marquis Wellesley proposed to ' interfere more actively and decidedly in the affairs of the province of Oude,' and that he accordingly directed the British resident at Lucknow, to offer to the nabob two propositions, either, first, ' to transfer to the company the exclusive management of the civil and military government of the country,' ---or, 2ndly, ' to cede to the company in perpetual sovereignty, such a portion of territory as should be fully adequate, in its improved condition, to defray the amount of the subsidy to the full extent of the augmented force.' "

7 ---"That it appears, that the nabob positively and repeatedly rejected both these proposals, but that he was finally compelled, by threats and menaces, to yield a portion of territory of the alleged annual

annual income of one crore and 35 lacks of rupees, in the terms of the second proposition, and furthermore, to bind himself to establish in his remaining dominions, a system of police under the advice and controul of the company's officers, and in all affairs to submit to the opinion of the British resident."

8—"That it appears, that the demand of a territorial cession was made under the pretence of obtaining security for the regular payment of the subsidy; but that the nabob Saadat Ali was always punctual, not only in discharging the monthly kists, but also in satisfying the further demands made upon him on account of the additional troops, and incessant in his applications to the British resident for advice and assistance in providing permanent funds for the payment of the same, and that therefore the said demand of territorial cession was unjust, and in direct violation of the provisions of the treaty."

9—"That it appears that, pending the negotiations respecting the territorial cession, demands were urged upon the nabob for arrears of payment of troops, unjustifiable in their principle, and exorbitant in their amount, calculated upon the principle of 'including every fixed and contingent expence for buildings, camp equipage, &c,' and 'on the supposition that the corps were complete,' though it was confessed that they were not so, and claimed upon grounds inconsistent with the true spirit of the treaty."

10.—"That it appears, that the demand of territory in perpetual sovereignty, to the amount of one crore and 35 lacks of rupees of annual revenue, was exorbitant and

unjust, inasmuch as it was perpetual possession in annual income to the full amount of a temporary and occasional demand, and inasmuch as the said temporary and occasional demand was in part calculated on the supposition of the necessity of the presence of troops—1st, to overawe the licentious disposition of the nabob's battalions, and to repress the disorders arising from the bad police of his reserved dominions, which necessity was however removed by the very treaty itself, whereby the nabob was bound to disband all his troops not necessary for the purposes of state, and of collection of revenue, and to establish in his reserved dominions a system of police, under the advice and controul of the company's officers, and, 2ndly, to defend the province of Oude against the dangers arising from the invasion of Zemaun Shah, though the nabob was at the same time called upon by the marquis Wellesley, to defray a 'proportion of the expences attending the embassy into Persia,' which had been employed 'in negotiating there an arrangement to prevent any return of the same danger.'"

11—"That it appears, that the demand of the specific territory of the alleged annual revenue of one crore and 35 lacks of rupees, was exorbitant and unjust, inasmuch as it was capable of immediate increase, and actually did yield, in the year immediately succeeding, the actual revenue of one crore and 57 lacks of rupees, and the settlement thereof for the three next succeeding years was at the average annual amount of one crore and 80 lacks of rupees, independent of the profit derivable from the monopoly of salt, estimated at 11 lacks; inasmuch as the said revenue was regularly

regularly and progressively increasing from year to year, and as much as Mr Henry Wellesley, the governor of the ceded provinces, stated, that he had no doubt, that 'the settlement of the land revenue for the second period of three years would not be less than two crores of rupees,' and that 'the land revenue of these provinces, when fully cultivated, would amount to two crores and fifty lacks of rupees.'

12.—That it appears from the whole of the transactions related in the papers now under consideration, and from the negotiations carried on by the marquis Wellesley with the nabob Saadut Ali, in the year 1798, 1799, 1800 1801, and 1802, that the said marquis Wellesley, actuated by unjustifiable ambition and love of power, had formed schemes of aggrandizement and acquisition of territory, in direct opposition to the established policy of the East India company, - that he pursued this object by means offensive, and with a spirit irritating to the nabob, with a total disregard of the recorded opinions of this house, and the provisions of two several acts of parliament, and that he finally succeeded in wresting from this unfortunate prince, against his will, a large portion of his territory, and in depriving him of all effective government over the remainder, in direct violation of every principle of good faith, equity, and justice, and in open breach of the sacred obligation of a solemn treaty, and that he has thereby affixed a lasting stigma and reproach on the British name and character, and contributed to destroy all confidence in the moderation, justice, and good faith of the British government in India."

The first resolution having been read from the chair,

MR. WAITSHILD KEENE rose and said —Sir, the noble lord has informed the house, that the resolutions he has moved, are founded on the information he has drawn from the documents which have been laid before it to illustrate the transactions that took place in the province of Oude, during the administration of lord Wellesley. I by no means agree that those documents bear out these resolutions, on the contrary, to my conviction they justify the very reverse. But, Sir, what has induced me at this moment to obtrude myself on the house, is a persuasion that in order to form a sound opinion on this important subject, it is necessary to go much deeper into it than the noble lord has thought proper to do. I apprehend every gentleman will agree that ascertaining what has been the real relation between the British nation, through its representative the India company, and the province of Oude, and what are the duties and rights respectively belonging to it and the native chiefs, with whom it has been involved, since it was forced to emerge into a territorial from being a mercantile concern, ought to save much time, as whatever may be said which does not apply to these relations may be very good declamation, but it is not argument. Appeals to its humanity and justice have always, and I trust ever will be favourably received, but when those appeals are made, it becomes the good sense of this house to examine carefully the grounds, least their heads should be the dupes of their hearts, and intending humanity and justice should produce results directly opposite. I conceive, for this salutary purpose, it is necessary

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to trace the origin and progress of the British connections in India, and knowing the apathy this house, unfortunately for the public, has shewn on those subjects, I shall take up as little of its time as the nature of that investigation will admit. Anonymous, and unacknowledged publications, bold assertions, gratuitously advanced, in this house or out of this house, can have no effect on its good sense; I beg leave to state that the opinions I entertain on this great subject are drawn from the series of facts recorded by Mr. Orme, in his history of the wars sustained by the British company and nation in Bengal and the Carnatic, and from Mr. Verelst's account of the rise and progress of the British Company in Bengal.

[The honourable member here described, at great length, from the authorities just mentioned, the nature and instability of the office of nabob, the early and progressive connection of the East India Company, with the princes of Oude, and the military and civil interference of the former in the Vizierat, hence contending that the Company had obtained a right in the country by conquest. He next detailed the evils of the mixed government of Oude, arising out of the peculiar nature of the treaties concluded at different seasons with the nabobs, and the opinions of the intermediate governors-general thereupon, from the time of Lord Clive, to the date of the arrival of the marquis Wellesley in Bengal.] He then proceeded:—

The marquis Wellesley, on his arrival in Bengal, found that country agitated by an expected invasion by Zeman Schah, and soon after by the insurrection of the deposed young nabob-vizier at

Benares, where, having collected a number of followers, he murdered the resident, with some other English, and fled into the province of Oude, where he collected between 5 and 6000 men, and was joined by some of the present nabob's troops who had been sent to stop his progress. These having been defeated by part of the British army, and the insurrection quelled, and Zeman Schah being fortunately obliged to fall back by disturbances into his own country, gave time to examine the state of Oude, and take the measures necessary for the defence of that province, which was the first object of Zeman Schah's invasion. It appeared that there was a rabble of an army amounting to near 40,000 men, but of a nature that the nabob declared he considered them as his enemies, and could not think himself safe in Lucknow without a considerable British force near his person. The British generals all declared that the existence of that army would be a powerful diversion in favour of Zeman Schah, in case he resumed his intention, and the nabob, impressed at that time with the danger, earnestly applied to the governor-general for his assistance to reduce it, who in consequence sent a most able British officer to effect that great object. In this situation of things the war with Tippoo broke out, and the governor-general went to the Carnatic, where having by great energy collected and put in motion, in a few months, the most powerful army ever assembled in India, Seringapatam was taken, Tippoo killed, and his whole dominions possessed by the English. Having by a skilful and fortunate enterprise at Hyderabad destroyed the French influence there, and hav-

ing by his regulations in Mysore brought all the resources of that country, from whence the company apprehended the greatest danger, to its aid, he returned to Bengal, leaving the Carnatic in a state of security it had never known before. He found the important reforms in Oude but little advanced the nabob, though the proposal of reducing his troops originated from him, when the danger from them was strong on his mind from Zeman Schah's invasion, yet as this decreased, he became irresolute, and brought forward proposals and sought evasions to create delay. The security of this important frontier, which the Company was bound, both by treaty and its own safety to defend, was an object of too vital a concern for the governor-general to permit himself to be baffled in. As an article in the last treaty empowered the Company to increase its forces in Oude to the extent judged necessary for its defence, and as by the same treaty the nabob is bound to give satisfactory security for the payment of the same, the governor-general knowing, from the uncertainty of payments of former interest subsidies, in times of profound peace, which Oude had enjoyed for many years (and which were only found by those usurious loans the exaction of which spread ruin and desolation amongst millions of the wretched inhabitants) how little reliance could be placed on the discharge of an increased subsidy in time of war, when a failure might be attended with disastrous consequences, and knowing the progressive decline of the resources of the country under the nabob-rizier's government, demanded, in lieu of subsidy, a cession of territory, the pro-

duce of which, in its declining state, was equivalent to the support of the increased number of troops, which from the state of things was judged necessary for the protection of the province of Oude and its dependencies. To this demand the nabob-vizier opposed many difficulties, during near two years. Although it had been proved repeatedly that without the British troops the dominions of Oude, if not entirely swallowed up, would have undergone great devaluations, although he felt and acknowledged that without them, his person was not secure from his own numerous and disorderly rabble, yet from irresolution of character, practised upon by those about him, who saw that by this measure, their means of enriching themselves by the pillage and oppression of the miserable inhabitants would be exceedingly reduced, yet it was with reluctance on his part he assented to a treaty, which precluded any farther demand upon him in any possible case, by which his own dangerous and disorderly army was to be reduced merely to what was necessary for purposes of state, in lieu of which the country was to be defended at all times, by a considerable increase of troops under British discipline. By this treaty, those districts which surrounded the ancient state of Oude, which were held by turbulent Zemindars, who had many troops and strong fastnesses, from which he could not draw revenue without annually sending a superior force to collect it at a decreased jumma, which were most exposed to temporary depredations, and through which a powerful invasion must pass, was ceded in perpetuity to the Company, and the necessity of

of making good a subsidy, by those usurious loans which had so large a share in the ruin of the country, and which from the nature of things must recur again, if the connection continued on the same footing, was for ever put an end to. The event has proved that the supreme government consulted not less the comfort and security of the nabob-vizier, by this great measure than it did its own. This treaty was concluded on Nov 10th 1801, and he now enjoys from his reserved dominions a larger income applicable to his personal gratifications, than he did when he possessed those ceded districts, subject to the payment of an inferior subsidy, and at the same time the comfort and security of those millions, who were formerly oppressed and pillaged, by his numerous armed rabble, is materially improved. In the ceded districts, by those Zemindars who possessed of troops and strong forts, were accustomed to dictate their own terms to the weakness of the vizier's government, much opposition was made to the establishment of the company's government, and it is to be lamented, in some instances, much blood has been spilt. Such feudal anarchy was incompatible with safety and good order, as it shewed itself, it has been subdued by the vigour and discipline of the British arms, and the lenity and beneficence of those British institutions which, from 1786 have progressively increased the happiness and prosperity of the Bengal provinces, have been introduced. Much time had not elapsed, before an opportunity occurred for the vizier to shew his feelings as to the change in his situation, and for the inhabitants of an important ceded district to shew

what they felt. During the contest with the Maharrattas, a difficulty arising from a deficiency of supply of money and other requisites for the advance of the Company's army, the nabob vizier voluntarily came forward with a considerable loan without interest, and assisted with all the resources of his country. On the incursion of a formidable Putan chief into the ceded district whereof he was a native where he had powerful connections, and where formerly he would have found much co-operation, so few shewed themselves inclined to him, that he thought it prudent to retreat, doing but inconsiderable mischief. Another tempting occasion offered for the nabob to shew dissatisfaction, if he had not experienced advantage from the new treaty, when, upon the proposal from a servant of the company (who was on his return to his country, and was supposed to have powerful connections here,) to be appointed his agent for the purpose of representing and obtaining redress of those hardships which he imagined the nabob vizier felt from the act of the British government, the nabob declined his interference, and testified, by his conduct, feelings of a directly opposite nature. From all these circumstances, it can scarcely be doubted, but that he would think himself little obliged to those honourable gentlemen in this House, who have advocated his cause; as they think, with so much zeal and eloquence, if they succeeded in putting him back into his former situation. With these opinions on the justice and necessity of this treaty with the nabob vizier, and all those important consequences, I cannot hesitate in thinking the supreme government of Bengal,

is entitled to the gratitude of the country, for having by its vigour and foresight most importantly augmented the security of the British interests in many quarters, and guarding against dangers which threatened them from no quarter more eminent than the north of Hindoostan

Sir JOHN ANSTRUTHER, rose to reply to the speech of the noble lord. As far as that noble lord was personally concerned, he had conducted the affair then before the House, in a manner which corresponded with his character, and the rank that he held in the country. Still, however, his noble friend's situation had been a hard one. A libel against him had been lying for a long period on the table of the house, and had in consequence been generally circulated, with something like an air of authority, the author of which, had it been promulgated in any other manner, would ere now have experienced the severity of the law. Before he entered on the subject, he would observe that the character of this prosecution against the marquis Wellesley, differed materially from that of any other India prosecution. In every preceding India prosecution, not errors of policy alone, but personal corruption, had been attributed to the individual accused. No man had dared, in the present instance, to whisper the slightest insinuation of such a nature against the noble marquis. Certainly, the last resolution of the noble lord charged his noble friend with ambition, and a love of power, evinced by his actions, at the very moment that he was retiring from his high situation. This prosecution contained within itself an evident contradiction. A learned gentleman, not just now in parliament, had

said that there were three parties in this investigation, the noble marquis, the court of directors, and the suffering millions in India. The two first unquestionably were parties in the investigation, but with respect to the suffering millions in India did not that learned gentleman know, that the accusation of the chiefs and rajahs of India against the British government there, was, that it was a government for the protection of the lower orders, who, in the provinces under British influence, enjoyed a degree of security and happiness, for which they in vain sought in any other part of Asia? The suffering millions of India, therefore, were no parties to this cause. The noble lord had expressed his hope that no person would decide on this question from motives of personal attachment. For himself, the long friendship with which he had been honoured by the noble marquis, had naturally created in his mind feelings of the highest respect and attachment, but in communicating to the house his sentiments on the subject, he was actuated by nobler motives. He had himself been in India, he had witnessed the danger at which it had trembled, he had witnessed the joy, which the relief that the noble marquis's measures afforded, had occasion. He had heard the opinions in India of the most faithful and the most intelligent of the company's servants, and he had never heard a doubt expressed of the justice and propriety of the noble marquis's conduct. It would be enough for the vindication of the noble marquis, were he to state that the principles on which he acted had been approved of by the government who employed and confided in him. This

This would be enough for the vindication of every executive officer. But he would go further, he would shew, that even had that approbation not been given, the noble marquis's conduct would have been not the less justifiable and honourable. The subject resolved itself into two parts, the transmutation of subsidy for territory, and the military interference with the province of Oude. With regard to the first point, the measures which the noble marquis pursued were imperiously called for. He was guided by the declaration of the East India Company, repeatedly made, for instance, to Lord Hobart, who was instructed to transmute subsidy into territory, in order that the territory from which the Company were to derive support in war should be in their hands during peace, and be thus rendered more available when a period of war might occur. When the noble marquis first went out to India, he was charged by the court of directors with similar instructions, to change subsidy for territory, and when he failed in an undertaking of that nature (from circumstances which it was not necessary to state) they lamented that failure. Subsequently, when the noble marquis effected a transmutation of subsidy for territory with the rajah of Tanjore, the Court of Directors thanked him for so doing. After this, they could not surely turn short round and say, that an accession of territory in India was against the law in all cases. There was another reason why they could not say this thinking highly of the services of the noble marquis in the war against Tippoo Sultan, the court of directors had behaved to him

as a great body ought to behave to a great man, and had rewarded him with a pension during the continuance of their charter, expressly declaring that by the destruction of Tippoo 'the Company had gained a great accession of territory.' How, then, could the noble marquis suppose, after this explicit declaration, that there could be any disapprobation of future transmutation? But this was not all. The noble marquis had, in this particular instance, informed the Company of his intentions; he had told them that he meant to avail himself of the existing circumstances in Oude, to introduce the British power into that country. To this the Company expressed no objection, they never replied, that it was against the law, or intreated him to desist from the execution of his plans. It was therefore fairly to be inferred, that those plans met with their concurrence. With regard to the other part of the subject, the introduction of military force into the Dewab, was it not evidently the wish of the Directors that the civil and military power of the nabob of Oude should be reduced? When the noble marquis acquainted them that he was about to reform the useless and even dangerous battalions of the nabob, they in answer approved of his intention, and when he had completed his military, to effect a civil reform, and was it to be endured that the noble marquis should now be told, that these were measures highly criminal, and that he had fixed an everlasting stigma on the British name and character in India? But this was not all, after the noble marquis had effected his objects, he received the appro-

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bation of the directors, as well as of the secret committee, which was a sufficient justification. To prove this, it would be necessary to refer to the letter from that committee, dated the 29th of December, 1802, in answer to one of the noble marquis, in which he acquainted them with what had been done in Oude, and intimated his intention of retiring from the high situation which he held in India. In this answer the committee, instead of censuring the noble marquis for the line of conduct which he had adopted, intimated that he would remain another year, and finish the work which he had so happily begun. Was not this a *bona fide* approbation? Unquestionably, there were some among the directors who did not approve of the noble marquis's proceedings. The deputy chairman, for instance, (who was entitled to the highest respect), had uniformly expressed his dislike to them; but still, the opinion of the great majority of the directors was in his favour. He would now, however, argue the question, without reference to their approbation or disapprobation. If the noble marquis were to act at all in India, his attention must naturally have been directed to two points; the first, whether he had any right whatever to interfere in Oude; the other, whether the occasion on which he did interfere was sufficient to justify him in such interference? As to the first point, no man, considering the relation which subsisted between the British possessions and the province of Oude, could possibly question the right of the British government to interfere with the affairs of that province. By treaty, Oude was to be defended by the British. By policy, Oude must be defended

by the British, for to defend Bengal without defending Oude was impossible. Quite lately, therefore, the British government were justified in making an authoritative, and compelling, introduction into that country of an adequate military force. Who, then, was to be the judge of the quantity of the force which ought to be so introduced? What said Sir John Shore, by whom the treaty with Oude had been concluded? He considered himself the proper judge. Had not Lord Cornwallis declared that if the reform in Oude were not carried into effect voluntarily, he should be obliged to compel the nabob to provide for his military defence? Moreover, had not that noble lord appointed two ministers of the nabob to carry his orders into execution, assuring them that he would support them against their master in the fulfilment of this task? How idle was it, then, to talk of the independence of Oude? Had not Sir John Shore revoked Mr. Cherier's rash and unadvised assertion, that no further interference on the part of the British should take place in Oude, and had not the court of directors applauded him, for this revocation? On what principle had Sir John Shore himself interfered in the government of that province? A man of more mildness, temperance, and moderation, he would also say of more integrity and ability, never existed. It was not to derogate from his administration to declare, that enegy was not the characteristic of it, and yet Sir John Shore, espousing the cause of Vizier Ally, decided, at his own tribunal, who should be the prince of Oude. Would he have done this had he not felt his undoubted right of interference?

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He had expressly told the Company that he found it necessary to establish the British influence in Oude on a sure footing, because the two states were so connected, that without an over-riding influence in Oude it would be impossible to keep Bengal. After all this, and much more, which he would not detain the house by stating, who could doubt that the right of interference was unquestionable, and that the noble marquis was the best judge as to the extent of that interference? So much for that part of the subject. Did the occasion, then, call for the interference which the noble marquis exercised? What was the situation of Oude at the time? Zemaun Schah, at the head of a formidable army, threatening Oude the Mahrattas making no movement and shewing no disposition to oppose him, and a large French force in the heart of Egypt. Well did he recollect the feelings of natives and Europeans in India at that period. Well did he recollect the doubt and dismay which existed before the noble marquis arrived, which he dispelled very soon after his arrival, and which never re-appeared during his continuance in the government. It was, indeed, a period of danger, and one which called loudly upon the noble marquis to do that which he did, to interpose with a strong hand, and to put the military force of Oude in a state better calculated to repel the assailants by which it was threatened. Sir John Craig, that most able and respectable officer, had demanded of the noble marquis a force of 20,000 men to meet the dangers that threatened Oude, not because he thought this force adequate to the object, but because he conceived that it was all that could be spared, yet even this number Lord Wellesley was unable to grant him. It was true, that he had sent an embassy to Persia for assistance; but the result of this embassy was contingent, and was it therefore to preclude him from endeavouring to put Oude into a better posture of defence? The civil state of Oude was this, half the army which ought to have been on the frontiers to repel the menaced attack, was compelled to remain in the country to quell the rebellion, which the bad administration of affairs had occasioned. Even Sir John Craig, with his small and inefficient force, had been obliged to leave two regiments at Lucknow, to defend the prince against his own subjects. By a letter from Mr Lumsden, it appeared, that even some of the frontier forts were in the hands of rebellious Zemindars. In these circumstances, was not the noble marquis completely justified in interfering to compel a mutinous army to obey its leaders, and a rebellious people to submit to their prince? He did interfere—he obtained his objects. So completely did he change the character and disposition of the country, that sometime afterwards, when a fair opportunity was afforded by the passage of an hostile force, from one extremity of the province to the other, that force was not joined by a single individual of those ‘suffering millions,’ as they had been so pathetically, but so unfoundedly, termed. But the noble lord not only accused his noble friend of sending into Oude a force larger than what was necessary, but of charging the vizier for a force larger than what was actually sent. If this were true, which he denied, the noble marquis had nothing to do with

with it. He had desired the proper officer to make out the account in the manner most favourable to the nabob. If any mistake had taken place, which was not very likely, and which he completely disbelieved, was the commander in chief in India to be chargeable with the error of a clerk in the accountant-general's office? The noble lord had so mingled in his resolutions that which was true, with that which was not quite true, that he felt the impossibility of proposing any amendment to them. On all, therefore, but the last, he should move the previous question to the last he must give his most direct negative. It charged his noble friend with ambition and the love of power. True, he was ambitious; but it was that his country should be great; true, he did love power, but it was the power of contributing, by every honourable means to her prosperity and happiness. Tradeduced as his noble friend's character had been, he was desirous of meeting the personal imputations that had been cast upon him, and should conclude with moving the following resolution — 'That it appears to this house, that the marquis Wellesley in carrying into execution the late arrangements in Oude, was actuated by an ardent zeal for the public service, and by the desire of providing more effectually for the prosperity, the defence, and the safety of the British territories in India.'

Col ALLEN rose and spoke as follows — Sir, It is with great diffidence I venture to offer myself to your notice, and to trespass on the attention of the house; but having passed the greater portion of my life in India, having been there during the early part of the administration of the noble marquis whose

conduct is the subject of investigation, having held an official, and I may say confidential, situation, which gave me opportunities of knowing something of the motives and principles which governed the conduct of the noble lord during that period, and having attentively perused the voluminous papers laid before parliament, I cannot reconcile to my feelings to give a silent vote on this question: a question which, important as it is to the character of the noble lord, is of infinitely greater importance to the public — for, in my humble opinion, if the resolutions moved by the noble lord shall receive the sanction of this house, it will lead to the subversion of every existing treaty with the native princes of India, and shake the foundation of the British power in the East. — In discussing the justice and the policy of the measures pursued by marquis Wellesley in Oude, it is necessary to consider, what was the nature of our connection with that state, at the time when these measures were adopted, and I think there is abundant proof in the papers before us, that Oude was not an independent principality, but that it was altogether dependant on the British government, and in fact identified with it.

In support of this position Col. Allen referred to the letters of Lord Cornwallis, and the Court of Directors, as proving the identity of Oude with the British dominions in Bengal, and more especially adverted to the evidence of Lord Teignmouth, and Mr. Cooper, as confirming the general repute of the nations of India, of the entire subjection of the nabob to the Company, of whom he had received the kingdom of Oude, as an alleged dependant fief, in the person

person of his predecessor Sujah ud Doulah. The hon member then continued--

The few extracts I have taken the liberty of reading to the House, in my humble opinion clearly establish these facts, that Oude is not an independent principality, but a dependency on the British government, that the principles, upon which lord Wellesley acted, were laid down by lord Cornwallis, sanctioned and approved by the court of directors and the board of control; and that the measures of the noble lord were founded in justice. Of the policy of those measures, it is impossible for any person in the least acquainted with India, or who has taken the trouble to look into the papers before us, to entertain the shadow of a doubt. It has been stated, that the resources of the vizier's dominions were abundant and daily increasing; if that had really been the case, I might have doubted a little the necessity of the measures of the noble lord. It is extraordinary, but no less true, that the very papers produced to substantiate the charges against the noble lord, afford abundant means of refuting them. Lord Cornwallis in a letter to the Court of Directors, dated 16th November, 1787, says, 'I cannot however express how much I was concerned during my short residence at his capital, and my progress through his dominions to be witness of the disorderly state of his finances, and of the desolate appearance of his country. The evils were too alarming to admit of palliation' (No 2 p 4).—In a letter to the vizier, dated 24th Jan 1793, his lordship says, 'On my return from the war in the Decan, I had the mortification to find that, after a period of five years, the

evils which had prevailed at the beginning of that time had increased, that your finances had fallen into a worse state, by an enormous accumulation of debt, that the same oppression continued to be exercised. Though the subsidy is at present paid up with regularity, yet I cannot risk my reputation, nor neglect my duty, by remaining a silent spectator of evils which will, in the end, and perhaps that end is not very remote, render abortive, even your excellency's earnest desire that the subsidy shall be punctually paid' (No 2 p. 11).—In a letter from lord Cornwallis to the vizier, dated 12th Aug 1793, his lordship says, 'It is well known, not only throughout Hindoostan, but to all Europe, that, notwithstanding the prevalence of peace during so many years, the revenues of your excellency's dominions are diminished beyond all conjecture.'

Colonel ALLEN next shewed, from the evidence of lord Teignmouth and Mr Cowper; and particularly from the deposition of major Ouseley, the aid-de-camp of the vizier, that the statements of lord Cornwallis were literally true. The honourable member quoted the following passage from major Ouseley's evidence 'As to the state or the Duab, I can speak with accuracy, but I cannot to the whole kingdom of Oude: that part, called the Duab, I found in a state of great anarchy, a total want of law, of justice, and every thing else: nothing but violation of property of all kinds, and banditti ranging over the whole of it, a total dereliction of every thing like justice.' Major Ouseley being asked, 'have you any knowledge of the state of the revenues in Oude, under the government of the nabob?' His answer is, 'I understood

understood that they were, in a state of annual decrease or decay' (P. 61)---This is the account of the civil administration in Oude. The military, if possible, was worse. By a reference to the papers before us, we find that the reform of the military establishment of the vizier had been one of the principal objects of the British government, from our earliest connection with Oude. Lord Cornwallis, Lord Teignmouth, and every succeeding governor-general, had directed his attention to this object, and we are informed by Mr Cowper in his evidence, 'that the uniform opinion of the court of directors was, that nothing could be more ruinous to the state and the affairs of Oude, than the existence of those troops' (p 40)---And Mr Cowper further observes, 'That the most earnest recommendations to their council were to prevail on the nabob to reduce them as much as possible, as much as was consistent with the safety of the country, and the collection of the revenues.' (p 46)---For military purposes there was no question as to the inefficiency of the vizier's troops; but we are told by major Ousely (p 64), that they were unequal to the collection of the revenues, he says, 'I believe at first the nabob was very willing to disband his army, finding it totally insufficient for the purpose of collecting the revenues, and for the subordination of his country.' Sir James Craig, who commanded in Oude, being desired to state his opinion as to the efficiency, and discipline of the troops of the vizier in the years 1798-9, and 1800, says, 'They were totally undisciplined; mutinous, licentious, and many battalions not armed. Being asked, 'were they attached to the

person and the government of Saad it Ali Khan, the nabob of Oude' Sir James Craig answered, 'I never had much communication with them, but I always understood the reverse, and, I know the nabob himself considered them in that light' (P 97)---The extracts to which I have presumed to call the attention of the House, in my humble opinion, incontestably prove that the internal administration of the vizier's government was radically bad, and that the interests and safety of the vizier and of the East India Company required that these growing evils should be corrected. In addition to this state of internal disorder, Oude was threatened with external danger, by the approach of Zeman Schah. Under all these circumstances, the measures pursued by the noble lord in Oude appear to have been founded in the wisest policy, as well as in the strictest justice, and we have reason to believe, from the evidence of major Ousely, that those measures have promoted the real interests and happiness of the vizier, and of his people. The following extract of a letter to the governor-general, dated 4th of Dec. 1800, shews that the conduct of the noble lord, with respect to Oude, was highly approved of by the court of directors. They say, 'they entertained a due sense of the highly-essential services of the marquis Wellesley, in the persevering zeal with which he effected a reform in the military establishment of the nabob vizier, a measure not less contributing to the preservation of his excellency's dominions, than to the relief of the company's finances, by furnishing a large additional subsidy, to the annual amount of fifty lacks of rupees,

to reimburse the charges of the late augmentation of our troops in that quarter, so necessary to be made in view to the ultimate security of our possessions against the invasion of Zeman Shah, or of any other power hostile to the British interests and that they had the firmest reliance upon the continuance of his lordship's exertions, for introducing the necessary improvements into the civil administration of the affairs of the nabob vizier.' And the secret committee, in a letter dated the 19th November, 1803, approved also of the conduct of marquis Wellesley. Territorial possession, instead of subsidy, has been a principle acted upon in India by the predecessors of lord Wellesley, and recommended and sanctioned by the highest authority at home. In considering this important subject, it appears necessary to take a short view of the political state of India, at the time the noble lord assumed the charge of that government. Tippoo Sultan, compelled by lord Cornwallis to purchase a peace under the walls of his capital, by the surrender of one half of his dominions, by the payment of a large sum of money, and by delivering up two of his sons, as hostages for the due performance of that treaty,---from this moment had been seeking the means of revenge. He had connected himself more closely with the French, from whom he actually received succours of troops. He had stirred up Zeman Shah and other native powers against us, and the Carnatic was threatened with the renewal of war. The court of the Nizam was entirely controlled by French influence, and there was at Hyderabad a large and well-disciplined native force under French officers, ready to co-operate with Tippoo Sultan,

menacing the weakest part of our possessions on the coast of Coromandel. A formidable native force, under 300 hundred French officers, nominally in the service of Scindia; but in reality totally independent of him, was stationed on the most vulnerable part of our Bengal frontier (Oude,) and M. Perron, who commanded that force, also commanded the resources of the country, and was in the receipt of an annual revenue of upwards of one million sterling. Let us for one moment look at the amount of this force. The army of Tippoo Sultan amounted to 94,000 men, 50,000 of whom, with a train of 130 pieces of artillery, he afterwards brought into the field against us. The French force at Hyderabad consisted of 15,000 native troops, and 60 field pieces. The French force under M. Perron, consisted of 40,000 well-disciplined native troops, and 280 pieces of artillery making altogether a regular field force of 105,000 men, and a train of 470 pieces of artillery. If to this we add the armies of Scindia, of the rajah of Berar, and of Holkar, amounting to 95,000 cavalry, 30,000 infantry, and 400 guns, we shall find there was a force of no less than 230,000 men, and 870 guns, which, in my opinion, would have been brought into the field against us, if that formidable confederacy had not been defeated, by the foresight, the promptitude, and the vigour of the measures pursued by the noble lord. This force is independent of Zemaun Shah's army, which menaced Oude, and of the army of the Nizam. Besides these dangers with which we were threatened, at the time the noble lord took charge of the Indian government, he found an empty treasury, and our credit so low, that

that the company's 8 per cent paper was at a discount of more than 20 per cent. I would beg to call the attention of the House to the situation in which we should, at this moment, stand, threatened as India is by the ruler of France, if the measures of the noble lord had not been carried in effect? I would ask, what our prospects would be if a large French force, reaching the north-western frontier of India, were there to be joined by 40,000 well-disciplined native troops, under French officers, and 200 pieces of artillery, with every necessary equipment for an army, and with the resources of a country, yielding an annual revenue of above one million sterling? If Oude, our frontier, was in the disordered and distracted state in which it was found by the noble lord, with its army, as described by Sir James Craig, totally undisciplined, 'mutinous, licentious, unarmed, and disaffected to their prince and government' I think we might tremble for the safety of India. But if, in addition to this, there was a force of 15,000 men and 60 guns, under French officers at Hyderabad, threatening the northern Circars, and to cut off all communication by land, between Madras and Bengal? If Tippoo Sultan was at the head of an army sufficiently powerful to meet us as he did, single-handed in the field? If Scindia, the rajah of Berar and Holkar, were combined against us? And if French influence pervaded every court in India? I think there is no man that hears me so sanguine as to believe that, under these circumstances, we could retain our dominion in the East. Fortunately, these dangers have been averted by the noble lord. He augmented

the British force in Oude, to guard against the attack that was meditated by Zemaun Schah, and directed the whole of his attention to overcome our foreign enemies. The French force at Hyderabad, and the French influence at that court, were completely annihilated. This able measure was followed up by the conclusion of a treaty with the Nizam, by which our subsidiary force was considerably augmented, and British influence was established. In the short space of two months, from the time the army under General Harris crossed our frontier, Tippoo Sultan, in the vain attempt to defend his capital, lost his life, and his dominions were surrendered to the British power. The Peishwa, driven by Scindiah and Holkar from his capital, and obliged to take refuge at Bombay, was restored to his authority, and a subsidiary treaty was concluded with him, similar to that with the Nizam. Cuttack, the only maritime territory of the Maharrattas, on the coast of Coromandel, ever considered of the utmost importance as connecting our possessions in Bengal with those of Madras, and as shutting out the French from all communication with the Maharrattas, on that side of India, was acquired. Acquisitions, nearly as important, were made on the coast of Malabar, excluding the French in that quarter. In less than three months, Lord Lake (a name it is impossible to mention but with the deepest concern) gained three brilliant victories, in which he destroyed thirty-one battalions of Peiron's army, and took 208 guns. A gallant officer, an honourable member of this House, in two brilliant actions, at Assaye and Argaum, which, for conduct in the general, and determined bravery in the

the troops, have never been surpassed—and where, if ever victories were gained by the exertions and example of an individual, they were gained on those occasions by the exertions and example of my honourable friend. In these two actions he completely defeated the armies of Scindia and the rajah of Berar, destroyed the remaining battalions of Peiron's army, and took 150 guns. These glorious victories were followed by advantageous treaties of peace. These are a few of the splendid services of that illustrious character, marquis Wellesley. I will not trust myself to speak of the return he has met with. During a period of seven years, the most eventful in our history of India, decision, energy, and purity, marked every measure of his administration, and they were crowned with success. Thinking as I do of the conduct of that noble lord, thinking that he was the saviour of British India, and convinced that an ardent zeal to promote the honour and the real interests of the country governed every part of his conduct, I shall oppose the resolutions moved by the noble lord; and shall most cordially concur in the motion of the right honourable baronet.

Mr. GRANT differed from the honourable gentleman, who had just sat down, because he thought the measures of the noble marquis had been extremely prejudicial to the interests of the company. He thought the transaction in Oude, both in its nature and progress, extremely unjust. Of all the important questions that could come under the consideration of parliament, this was the most important, because to that was the last appeal to be made, in case of any abuse

of power in British India. After adverting to the circumstances by which the Company first became involved in the quarrels of the native princes, the honourable gentleman said, that whatever might have been the opinion upon these subjects, they had always considered treaties as sacred. Marquis Cornwallis felt sensibly for the disorders in Oude, but so strong was his regard for the faith of treaties, that he never interferred upon the subject, otherwise than by remonstrance. It was in the breach of the treaty that the essence of the present question consisted. A clemency treaty had been violated six months after it had been entered into, without any material charge of circumstances to render that violation necessary. The negotiation which led to the new treaty was carried on with a series of compulsory measures, executed with extreme rigour, by which the nabob was compelled, under a menace of the deprivation of his whole territory, to agree to the new treaty, whereby he was to pay 125 lacs instead of 76 lacs of rupees, as a subsidy, and instead of ten or thirteen thousand troops, an unlimited number was to be employed in his territory. Thus the nabob had been deprived of the whole benefit of the treaty of 1798, and yet in 1806, the number of British troops employed in Oude did not exceed 11,400. The nabob was by these means reduced to the state of a Zemindar, completely dependent upon the government of Bengal. When Oude first threw itself into our protection, it was by treaty, and, except by treaty, we had no right to alter the relation of that country to our empire in India for the nabob had fully complied with the treaty of 1798.

1798. The time at which that treaty had been violated had been a time of profound peace. They had heard much of the alarm of invasion by Zemaun Schah, and of the danger arising from Buonaparte being in Egypt. But he had marquis Wellesley's own authority for saying, that the danger of invasion had passed away at the time of the treaty by the destruction of Zemaun Schah. Here the honourable director proceeded to read an extract from a letter of lord Wellesley to the secret committee of the court of directors. This document proved that the danger from Zemaun Schah had passed away at the time the treaty was negotiated, and he contended, that before the troops had been marched some communication ought to have been made to the nabob vizier. The demand of the reform of his troops the nabob seemed never to have understood, but as applying to their improvement, and not to the reduction of them; and, therefore, some explanation ought to have been given to him of what was required of him. On the whole, he could not see that the occasion called for the interference. The assumption of the territory in the Carnatic, which had been done under an imperious necessity, did not apply, and as to the deposition of vizier Ally, that event had originated in his own violence, and the circumstance of his being spurious, and not of the blood of Rajah Sujah ul Dowlah. The honourable gentleman denied that the transactions in Oude had ever received the sanction of the court of directors, at the period stated by the honourable baronet, and for a good reason, because they had not been acquainted with them, and when

they were informed respecting them, they had taken the course that the occasion called for. It was not till the 24th of June, 1802, that the treaty had been communicated to the council of Calcutta, six months after the transaction had taken place, and a great part of the impropriety of the case arose from the circumstance of the noble marquis having taken upon himself to violate the treaty of 1798, and to take one half of the province of Oude from its sovereign. It might be asked what was now to be done? He would not take upon himself to say, but he thought that substantial justice ought to be done in some manner. The character of this country was its dearest possession; and he was convinced that that character would be compromised, if the House should not, with a view to national honour, and national justice, express its disapprobation of this transaction.

Sir JOHN ANSTRUTHER, in explanation, denied that he had thrown out any aspersion on the administration of lord Teignmouth, although he thought it a government more of mildness than of vigour.

Mr WALLACE declined entering into any detailed examination of the papers on the table, but vindicated lord Wellesley's conduct from the great feature of his administration. With respect to the resolutions of the noble lord, they kept short of moving an impeachment; but lord W. was not much obliged to him for that, because if the stigma affixed upon his conduct was just, the house could not, consistently with its own honour, and that of the country, forbear prosecuting him before a higher tribunal. Our connection with Oude, he maintained, originated in absolute conquest,

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quest, and all that the nabob or his family possessed they owed to British munificence. In the treaty of 1798, it was stipulated, that if there were more than 13,000 men in the country of the nabob of Oude, he was to be charged with the support of them, and if there were less than 8,000, there was to be a proportionate deduction in the subsidy, and there was also in the treaty an established right of general interference in the government. On lord Wellesley's arrival in India there was the loudest call for this interference. There was no protection either for the person or property of the inhabitants, and they were oppressed by a large, useless, licentious, and he might add, disaffected army. In support of this statement he quoted the authority of Sir James Craig, and if this were true, lord W. had two things to do, to substitute a force for the defence of the country, and to get rid of an army which only served to burthen the country. Of the necessity of this reform in his army the resident of the nabob himself was convinced. But before a negotiation for this purpose could be set on foot, a voluntary proposition was made by the nabob to abdicate his government. This proposition lord W. met with eagerness. But was his acquiescence in a proposition which was likely to be productive of the best effects to the people of that country, to be attributed to the overweening ambition of the noble lord? If this was a crime in the noble lord, the hon. gent declared that it was one in which he deeply partook. But so far from it being a criminal act, he thought lord W. would have been wanting in his duty, not to have embraced an opportunity of doing so much good, by transfer-

ing the inhabitants of an oppressed and distressed province, to subjection to the mild laws of a British government. In these circumstances, British troops were sent into the country, and this measure was, in the first place, perfectly consonant with the treaty, and in the next place, it was in the then situation of the province of Oude, absolutely necessary to the defence of the country, which was essential at the time to the protection of the British dominions. It was incumbent on those who contended, that our power was then abused, to shew either that our territory was not threatened, or that the troops of the nabob were adequate to his defence, neither of which propositions could be made out if attention was paid to the hostile demonstrations of the Mahratta powers, or to the state of the nabob's army. And if a British force was necessary, the only question remaining to be settled was, whether the number of troops sent into the province of Oude were more than sufficient for the purpose of its defence, for if they were not more than what the exigency of affairs required, we were authorized by one of the articles of the treaty to demand that the expences of the army should be defrayed by the nabob, and if this could not be done by any other means, to take possession of his territory as a security. On these grounds he gave his decided negative to the resolutions of the noble lord.

Mr. S. LUSHINGTON (member for Yarmouth) contended, that the observations made by the hon. gent who preceded him, did not, in great part, apply to the question then submitted to the consideration of the house. Without following

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him throughout the extensive circuit he had taken, the paramount question was, whether the character of Great Britain, for good faith, had been preserved? It was, whether the marquis Wellesley, in those treaties, which pledged the honour and credit of this country, had not, without any pretext on the part of the nabob of Oude, violated their spirit and letter, and consequently deteriorated our character with the native powers of Hindoostan? The hon gent had asked, what benefit could marquis Wellesley acquire in keeping possession of the principality of Oude? That was not the question, but the fact was, that he had continued in possession of that principality from 1801 until 1805. The noble marquis had disdained to regulate his policy in the government of India by that system which the East India directors had recommended, regardless of the voice of the British legislature, of two acts of Parliament forbidding the extension of territory, he had, confident in his own talents, and in gratification of his own ambitious views, abrogated the solemn provisions of ratified treaties, and committed, by his disregard of the recorded injunctions of Parliament, the good faith of the British character, and the security of our possessions in India. It had been said that such a system of action was executed for the public good, that it was not only calculated to produce benefit to Great Britain, but to the very people and government against whom the aggression was committed. Against this interference he should ever contend, that it was the universal plea of tyrants, the ready defence of oppression, and it was that palliation which heretofore had been given by all the promoters

of conquest and subjugation in India. Such a defence was similar to that assumed by Buonaparte; it was only to be compared with the French decree of 1792, which this and every other moral country reprobated because it was founded on that reprehensible principle, that a foreign power was justified in interfering with the domestic arrangements of a state, under the professed pretext of correcting the errors of its domestic policy, and of advancing the general happiness of the people. Was it in England that such a plea could be tolerated? Was it in this country that such a pretext of interference with the rights and independence of a recognised government could receive sanction and support from its legislature? But, what was the first mode of relief? it was a monopoly of salt, from which the hon gent who spoke last said a revenue of 125,000/ was derived. Such an impost, as creating a monopoly, was in every view injurious, but, as affecting a necessary of life, was unjust and tyrannical. There was no proof of that evident necessity which could alone warrant the interference with the nabob of Oude. There was no backwardness in the payment of his instalments on the part of that prince. But it was evident, that from the very moment that marquis Wellesley arrived in India, when he was scarce warm in his office, before any complaint was or could be made against the nabob, he, the marquis, had, in his first dispatch to colonel Scott, the resident at Lucknow, expressed his determination of possessing himself of the Duab, a very extensive proportion of the territory of Oude. Whilst, therefore, the non-payment of the subsidy was made the visible ground for invading

ing the independence of that prince, the eventual accomplishment of a territorial cession was the paramount object of the marquis Wellesley's policy and exertions. Indeed, from the correspondence of that nobleman with colonel Scott, there was nothing to be traced but one tissue of hypocrisy and dissimulation, holding out false hopes and views to the nabob, at the same moment that difficulties were created, in order to make their existence a pretence for carrying into effect the views of aggression entertained by the marquis Wellesley, from the first moment of his arrival in India, against the principality of Oude. Much had been said of the dilapidation of the resources and financial means of Oude, in order to give a colouring to the system of conduct pursued against the nabob. Let the house and the country, for a moment, bear in their recollection, that from the commencement of the British intercourse with Oude, the subsidy paid by that principality increased, in twenty-four years, from 115,000*l* to 1,600,000*l* British, a pretty convincing answer to such allegations, and an unanswerable proof that there was no disinclination, on the part of the nabob, to pay for the security he had received. But for what purpose were the means of assistance adopted by the British government? Was it for Oude solely? There was no person so Quixotic as to believe that any government was now animated by such disinterested principles. It then was for the security of the British power in India, and surely if a sum of money was expended for the defence of Ireland and Scotland, and through these parts of the kingdom for the security of the empire, there was no man who

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would say that these particular portions should be separately burdened with the expense which was incurred. But the marquis Wellesley, in his conduct to the nabob, was not content with exacting the whole of the subsidy. He called not only for it, but, as it was rumoured, for more than the specific amount, and that to a moment; adding, by his future demands for territorial cession, a spirit of severity to a principle of perfidy and injustice. It was in evidence before the house, that lord Teignmouth had declared, that as long as the nabob of Oude paid his instalments, the British government was bound by treaty not to demand any territorial security. He did pay up the instalments, and in what view did the aggression of marquis Wellesley then present itself? It was upon these grounds that he appealed to the feeling of the house, to its love of justice, and sense of moral character. He called upon it to vote its censure upon a man, who, in violation of the law of the land, and the binding provisions of a solemn compact, had been guilty of cruelty and oppression, had degraded the character of his country, and would, on every progressive step of the inquiry, be found more deserving of public reprobation.

Mr. BANKES thought that the house had no jurisdiction on the subject. He deprecated, at all times, the house taking upon itself judicial functions, as he conceived they generally, in such cases, judged badly. He thought it highly improper. He remembered the house once being occupied, for a long time, in judicial investigations about Sir Thomas Rumbold, which ended by the members absolutely ceasing to at-

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tend; and, on the last resolution upon that business, there were precisely forty members in the house. The delay in Mr Hastings's business also shewed the necessity of a separate judicature for Indian affairs. The honourable member concluded by deprecating all further investigation upon a subject wherein the house could come to no efficient conclusion answering the ends of justice.

Mr W SMITH suggested the propriety of adjourning the debate, on the consideration of the fitness of the hour, and the many members who had yet to deliver their sentiments upon the extensive question then before them. After a few words from the Chancellor of the Exchequer and Lord Folkestone, the debate was adjourned to Tuesday next.

Tuesday, March 15.

CONDUCT OF MARQUIS WELLESLEY—RESUMED DEBATE ON THE OUDE CHARGE.

The house resumed the adjourned debate on the conduct of the marquis Wellesley relative to the affairs of Oude. The first resolution being read,

Sir THOMAS TURTON spoke as follows:—Mr. Speaker,--- considering this question as intimately connected in its policy with that which it will be my duty shortly to submit to the house, (the Carnatic Question) viewing it as one great link of the same chain of Eastern policy (if policy it can be called) that distinguished the administration of lord Wellesley, I cannot content myself with giving a silent vote on motions of the noble lord. In proceeding to the merits of the question, I cannot but lament that it has been treated, not so much as the revival of a great political mea-

sure, involving a system of government, as the case of a distinguished individual. I cannot treat it in that light, for, respected as the character of the noble marquis, and his individual interest in the transaction ought to be, it is still only that of an individual, and as such, least in importance. For what is the real state of this question in a great political view? The government of India (over which, it is true, the noble marquis presided at the time) has violated a solemn treaty executed between lord Teignmouth, the then governor-general, and the nabob of Oude, in February, 1798, and to which the faith of the British government was pledged, which existed at the time, and to the performance of which we were at the very moment binding the nabob. The particulars of the violation were,---1st The reduction of the army of the nabob against his will, an interference expressly guarded against in the 17th article of the treaty, and, secondly, the taking from him, by violence, one-half of his territories, and reserving to ourselves the complete controul over the remainder, by a paper, which we chose to denominate the treaty of 1801. The pretences assigned for this conduct, particularly by a right honourable baronet, whose connections with, and obligations to, the noble marquis, have induced him to stand forwards as the champion of the government of India, on this occasion, are three-fold, first, the right,---secondly, the expediency and even necessity of the exercise of it,---and, thirdly, instructions of the government at home. First, Sir, as to the right of the government of India, to commit these acts of tyranny. From whence is it derived? The right honourable baronet

ronet has not condescended to tell us. Is it derived from the treaty of 1798? That in the article to which I have referred, expressly guarantees the right of the nabob to a full authority over his household affairs, his troops, and his subjects. As long as this treaty existed, therefore, government could have no right to disband a soldier, or to interfere even with the lowest of his subjects, but, says an honourable gentleman, (Mr Whitshed Keene) the right is 'that of the sword obtained by conquest, by that alone can your government in India be supported.' What occasion then for treaties, if the will of the conqueror is to be the only law? Willing am I to acknowledge, that when Sujah-ul-Dowlah, after the subjugation of his ally, Meer Cassim Ally, the nabob of Bengal, fell into the hands of the British, at the battle of Calpi, in 1765, it was the undoubted right of the India company to have disposed of the territories of Oude, in the manner they deemed most advantageous to their interests--- Indeed it appears they did so, for after having granted the emperor of Delhi, (for whose cause, and at whose mandate the nabob of Oude first entered on the war with the British government) they actually, by a firmán, or agreement, with the emperor, made over to him the greater part of the dominions of Sujah-ul-Dowlah, which they had so conquered, and reserved a part to themselves. This was the right of conquest, a dreadful, but legitimate right. The sovereign was a prisoner in your camp,-- his dominions at your feet, but what was the conduct of lord Clive, when he heard of this agreement? He refused to ratify it, he considered that in every view of policy

an extension of territory was to be deprecated, he released the captive monarch, he restored him to his dominions, he executed with him a treaty offensive and defensive, by which the two states agreed mutually to assist each other, in case of attack, with part, or the whole of their respective forces, as might be necessary. If, therefore, you had the right of subjugation by conquest, did you not abandon that right, when you concluded this treaty with Sujah-ul-Dowlah? And is there a single word in all the treaties since executed with the sovereigns of Oude, in which this right of conquest is referred to in the most distant manner? But, says the honourable gentleman, to whom I last alluded, 'the nabob of Oude was never considered as more than the ward of the company, who were his guardians.' Well then, if the company were his guardians, the disposition of their ward and his property ought, in some degree, to have been subject to their disposal. Their agent ought not to have acted without their authority. He ought not to have constituted himself the guardian, and in violation of every principle, the characteristic of that sacred name, to have first robbed him of half his property, and obtained himself to be appointed receiver and comptroller of the other half. But an honourable and gallant colonel (Allen) whose attachment to the noble marquis, and defence of his conduct is as natural as praise-worthy, says, 'the nabob was not an independent prince, and could not expect to be treated as such.' I have read something of this in two long publications gratuitously conveyed to me, on the eve of this motion; and I have thought it my duty to
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wade through them Does the noble marquis rest his defence on either of them? To satisfy any man of the wildness and extravagance of the doctrines contained in them, I need only state, that in one of them, the author, after deducing from Vattel, Puffendorf, Montesquieu, and even Locke, the right to treat the nabob as our slave, represents him, as filling 'an office perfectly analogous to that of Lord-Lieutenant of Ireland,' and by another author we are told, 'that Oude was a dependent fief, the company paramount lord, and the nabob its vassal,' and I think the result of his argument is, that not having taken from our vassal the whole of his dominion, we have treated him with 'signal indulgence' I should be ashamed to answer arguments (if so they can be called) like these, but, I would ask the honourable officer, who terms the nabob a dependent prince, as having no rights of sovereignty, except what were derived from the company, and to whom they reverted at their will and pleasure, how he could reconcile to one principle of common justice, much less of British generosity and magnanimity, the cruel and oppressive treatment of a dependent prince, subject to your power and will? But, Sir, if this unhappy prince had no independent power, if he possessed no power, no dominions, no subjects, but those of the company, existing only in a combined and amalgamated state with theirs, what occasion for this treaty of 1798, explanatory of the respective rights of the company and of the prince? If these doctrines have any foundation on out in usurpation and tyranny, how came these words in the preamble of the treaty of 1798.

"Whereas various treaties have been concluded at different times between the late nabob Sujah-ul-Dowlah Behader, and the nabob Asoph-ul-Dowlah Behader, and the honourable the East India company, to the mutual advantage of their respective dominions, the nabob, &c and Sir John Shore, bart on the part of the honourable the East-India company, with the view to perpetuate the amity between the two states, &c" Are not these words conclusive of the opinion of the government of India at the time, that they were two distinct independent states, or dominions? Is such a preamble consistent with the idea of a paramount lord and vassal? Is not this a recognition of sovereign rights? Besides, let it be recollected, if the nabob received his investiture from us, or from the mogul, from whom did we receive our dominion of Bengal, Bahar, and Orissa? I should wish to see any treaty produced, where the language is more consistent with independent and mutual rights But the right honourable baronet says, our right on this occasion was founded on usage also; and he instances the interference of lord Cornwallis and lord Teignmouth, with the internal government of the nabob Whence does the right of interference flow? When has it been exercised, and by whom? Certainly not, as contended by lord Cornwallis and lord Teignmouth, further than by advice But, for argument sake, suppose the right, where was the necessity of its exercise at the moment? It has been said that the troops of the nabob were mutinous, disaffected, and inefficient, and that this justified their reform. Neither the right honourable baronet, nor any other gentleman,

has favoured us with one tittle of proof of the disaffection, except that when Zemaun Shah threatened to invade Oude, the nabob was apprehensive of his person, and requested some British troops at Lucknow. But is the real cause assigned of this request? are we told (as in fairness we ought) that the nabob had at the instant been raised to the musnud, as the lineal successor, and Vizier Ali displaced, (whose partizans were then very numerous, in the country between Benares and Oude) that scarcely warm in his seat, he was apprehensive of the advantage which might be taken of Zemaun Shah's approach, and of the flight of Vizier Ali into Goruckpoie with 6000 men, after the murder of Mi Cheuy, at Benares, by the enemies of the company and himself, to excite mutiny amongst his troops? But was there any thing like mutiny or disaffection amongst his troops at the time of your projected reform? Was there any vizier Ali to create mutiny; or any approach of Zemaun Shah to encourage it? That different regiments mutined at times when long arrears were due to them, could not be brought as a reason, it is well known that scarcely any power in Hindoostan is exempt from such instances. Then troops are always greatly in arrear (I wish ours may not often be so,) and when the abuse becomes intolerable, it remedies itself. The troops mutiny, march to the seat of government, get paid, and return again to obedience. But then they are wholly inefficient, it is said not wholly so, whilst all are most fit for the enforcing and collection of revenue, (as will be seen hereafter.) The evidence on your

table proves that some, particularly the troops of Almas Ali Khan, the great Aumil of the Doab, are efficient in our opinion; but are they not all as much so as Mussulmen troops are in general throughout the world? It is not the question whether they are as efficient as European troops, but whether we had the right to disband them at our will and pleasure? But it has been urged that the peculiar situation in which we were placed at the time, rendered it absolutely necessary that a considerable reform should take place in the vizier's troops; that our north-western frontier was endangered by the threatened return of Zemaun Shah, and by the influence of France in the western part of India. It has been added even, that the French were in Egypt when lord Wellesley landed in India. Such an excuse for this act of oppression and tyranny (for I will presently shew that even then it would have been merely pretence) might have been advanced, but when the victory of Aboukir, and the subsequent successes of the British arms in Egypt, (long before the conclusion of this scheme of rapine) had annihilated the French power in the East, when the conquest of Tippoo Saib had destroyed French influence in India, how can such an argument be advanced for the measure? Zemaun Shah too was destroyed, and although his brother, Mahmood Shah, was pledged to pursue the same career, and to attack British India, yet was he likely to be more formidable than his brother? Was the situation of India more dangerous, after the destruction of Tippoo and the conquest of Egypt, than before? and what were the pre-
parations

parations made to resist Zemaun Shah, in 1793? Why, 15,000 men (exclusive of the British to protect the nabob) under the command of Sir James Craig. The army of Lucknow compelled you to have 13,000 men, surely 100,000 to the extent of Sir James Craig's forces, might have been sent from the British provinces to deter its north-western attacks. For was the invasion of Zemaun Shah directed solely against the nabob of Oude? was it not equally directed against the British Government? and were we to contribute nothing to our defence, and the nabob every thing? Was this just or reasonable? But even if 20,000 men were necessary for the defence of Oude only, was it not possible to have raised and disciplined 7000 men out of the armies of the nabob, which amounted to between 30 and 40,000? Was it not the kind of reform we should have first attempted? We might have made at least the experiment, and seen what British influence, and discipline might have effected. It will not be pretended that you would have found any essential resistance in the nabob to this measure of disciplining part of his army, and disciplining the remainder. On the contrary, we find him actually assisting in such a project, for had the battalions been purposely left undisciplined. Considers of the inability of so large and unorganized a force, he would gladly have reduced a great part and organized the remainder. At first this was all you asked, you desired only a reform of his army by the reduction of part of his useless battalions, you said that a word of marching in your troops to replace them. Having repeatedly stated

his army to be worse than useless, to be dangerous, and embarrassing to your own, all that you could wish was the removal, as far as was possible, of this danger and embarrassment. Any reduction was a gain, it diminished your fears, and concentrated your own force, it required, therefore, no additional number of troops. This was your alleged view of it at first, for Sir Gilbert Clarke, in his letter to the viceroy, of the 21st of June, 1799, writes thus: "the defence of your excellency's dominions against foreign attack, as well as then internal tranquillity, can only be effected by a reform of your excellency's military establishments. There can be no doubt that the measure might be effected with a degree of advantage to your excellency's finances, little inferior to that which it promises to your military establishments." So Lord Wellesley on the 20th of September, three months afterwards, writes thus: "I cannot conclude without expressing my anxious hope that your excellency will not suffer any consideration to delay, for a moment, the necessary alterations in your military establishment, on the early completion of the improvement of your army, the safety and prosperity of your dominions essentially depend, and the present is the most favourable season for the accomplishment of this great and salutary work." Is it not plain from these letters, that what was originally meant and proposed, was a military reform? Nor did the nabob view it in any other light. For on the 20th Oct 1799, he writes to Lord Wellesley thus, "your lordship deserves that I will not delay, for a moment, the necessary alterations in my military establishment."

blishment. The fact is, that the benefits, both immediate and future, of such reform, are even more strongly impressed upon my mind than they are described by your lordship, and accordingly, a year ago, from a sense of those benefits and of the evils arising from the failure of my resources, and the increase of my expenses, I, of my own accord, planned in my own mind a reform in the system, and was the first to propose it. Your lordship's reply that pressing avocations obliged you to postpone the question, rendered it a case of necessity.' So that after all the assertions of the nabob's unwillingness to listen to the measure of reform, it actually appears that he was the first to propose it, and that the delay was alone to be imputed to lord Wellesley, indeed, I will defy the right hon. baronet to produce any one instance, in which any refusal, or even disinclination, on the part of the nabob, existed to reform his civil or military government; he was always anxious to procure from the resident such a plan—nay, he himself had led to it by divers reforms and retrenchments, this you have had from major Ouseley, at the bar of this house, who, after describing him as a "sensible, acute, and well-read man," as "an excellent scholar," and "a great ornament of society," and a man of considerable talents for business, tells you, 'that he corrected a great many abuses in all parts of his establishment,' so that we find it was not a mere profession, but a fixed and steady determination in the nabob, to introduce every practicable reform into his dominions.—But did the noble marquis wish for a reform? did he propose any thing

resembling it? will it be pretended, that the proposition to disband his whole army, and to pay for any additional and unlimited number of troops you might chuse to introduce, was a proposition of reform of his army? and did you make any other? No, you never intended to do so. No, sir, reform was only a paitiy and despicable pretext, your plan was settled, and your means were adequate. You marched in a large body of troops, not to reform the nabob's military establishment, but to make your power irresistible, and his resources exhausted.—You demanded the disbanding his army; you knew the consequences would at the least be the diminution of his revenues; you compelled him to pay their arrears; he did so, you then required payment of the troops you had marched in. After some ineffectual remonstrances, he complied with your requisitions. but this would not satisfy you, he had found the means of frustrating your iniquitous project, till his coffers were exhausted, you had not the means of executing your plans; ingenuity, therefore, must be stretched to find other pretexts of extortion. A long dormant claim, one that was never in the contemplation of lord Teignmouth, for the expenses incurred by the company at the period of Zemaun Shah's approach, was then advanced, to this was added a demand of a lack, and 40,000 rupees for the repairs of the fort of Allahabad. Nor was this all, we had sent two embassies to Persia to counteract the views of Zemaun Shah in Hindostan; half of the expense was demanded of the nabob. emptied as his coffers had been by our previous extortions, we

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were in hopes these demands would wholly exhaust them; or, at least, that they would draw forth from the nabob some acknowledgment of inability to pay them, which might found the pretence of seizing his dominions. And on his remonstrating against the injustice and extent of these demands, and the time and manner in which they were brought forward, and expressing his anxiety, lest such vast and reiterated demands made at the same moment, "should occasion a failure in payment," and by that means "his responsibility should be impeached" the governor-general easily seizes on "his possible inability to discharge his engagement with the company," (as he is pleased to term it) as the foundation of a demand, the most unjust and tyrannical, but which was always the ultimate object of the government. The resident is directed to propose to the nabob, either, 1st The complete transfer of his whole authority, civil and military, to the company, or, 2dly. Territorial cessions in perpetual sovereignty, equivalent to subsidy and the claims of the augmented force, and this under the seventh article of the treaty of Lucknow, an article which could relate to nothing more than the subsidy settled by that treaty, which was 76 lacks of rupees, not to the augmented demand of upwards of 54 lacks more. For a long time the nabob firmly resisted both these iniquitous propositions, and it was not till he was informed, that his further resistance would be ineffectual, that he chose the least degrading of them. But I may be permitted to ask on what principle of fairness we can accuse the nabob of artifice and duplicity:

we who, during the whole transaction, in our instructions to our resident, made use of every little subterfuge, every pitiful pretext, to cover our intentions, who, when we failed in persuading the nabob to surrender his dominions wholly to the company, instead of abdicating in favour of his son, according to his own proposal, instructed our resident to avow the indifference of the company to an act we had most at heart, and directed him to remove every idea from the mind of the nabob, that we anxiously wished him to abdicate, we, who when we marched our augmented force into Oude, stated the situation of Rohilkund, and the success of Ghulam Khader, as the pretext for their march, acknowledging at the time that they were but pretexts. With what face, then, can we accuse the nabob of duplicity? I shall always think, Sir, that if the policy of our government in India was to strengthen our north-western frontier by the possession of the Doab, and by the dismemberment of Oude, and the extension of our territory in India, (a policy I much doubt) it would have been more manly, more becoming the character and honour of the British government, to have openly avowed our determination, rather than by these little unworthy pretexts and artifices, so insulting to common sense and honesty, endeavouring to justify an act, which, though in itself atrocious and tyrannical, was, in its execution, attended with circumstances still more disgraceful to the British name and character, than the act itself. But, Sir, it is said, with confidence, by the right honourable baronet, that the noble lord only followed the instructions he received

ceived from his employers, and that the commutation of territory for subsidy had been recommended by them. When the right honourable baronet stated the instructions lord Wellesley had received, and held in his hand a large folio volume of papers and instructions, I thought he would have favoured us with one letter or paper of instructions from the secret committee, or the council of directors, justifying lord Wellesley in his conduct to the nabob of Oude, and which might have escaped my observation; and although I should not have thought the violation of a solemn treaty, even under the sanction of such authority, deserving the approval of this House, yet, certainly, the noble marquis could not have been accused, in such case, of any thing more than submitting to be the instrument of the company's injustice. How then, Sir, must the House have been astonished to find, that not one letter, not one scrap of paper, not one expression in any letter, which can be tortured into an instruction to the marquis Wellesley, even to commute the subsidy for territory, with the consent of the nabob, much less against it, has been produced or read, and after this is broadly stated as one ground of defence of the conduct of the governor-general, we find it amounts to no more than this, that in former times the government of India was instructed to attempt to persuade the nabob of Arcot to commute subsidy for territory, and lord Wellesley himself actually carried out instructions so to do. It is remarkable, that in the only instance where lord Wellesley seems to have attended to the instructions of his employers, or considered them more than

waste paper, is on this very subject, where he is ordered by them to go to Madras, previously to taking upon himself the government of Bengal with a view of persuading the nabob to consent to this arrangement of territorial cession, in lieu of subsidy. But what were his instructions? Why, to use no other means than persuasion to induce the nabob to consent to the proposed arrangement, and these being his instructions, he was obliged to leave the object unaccomplished. Now, Sir, after having taken all this pains to travel from Bengal to Madras, to find a justification of the noble lord's conduct, by analogy to instructions given to the late government—how have we succeeded? Not one instance of instruction to any governor-general in India, to obtain an exchange of territory for subsidy, by force, is to be found—directly the reverse. I defy the right honourable baronet to produce even one solitary instance. I am content to rest the whole of this case on such proof. But, Sir, I will not waste another word in attempting to refute the mass of fallacious and plausible statements, which the ingenuity of the honourable baronet has produced, and which have been stated with a solemnity that would make one fancy there was something of truth in them. Let any man read the papers, and he cannot for an instant doubt on how weak a foundation rests the defence of this disgraceful transaction. Yet the injustice of the transaction may find some excuse in its policy, and in the advantages resulting from it. Well, let us examine it in this view. What have been our gains? Have we more security now than before?

fore? Have we bettered our finances? Is our government in India more secure? Have we secured improved the condition of the natives? In these objects, or any of them have been gained, we have something to put to the credit side of the account. In what way is our security increased? Is our north-western frontier defended by a greater body of troops?—No. Have we a larger army of British troops in Oude than before?—No. On the contrary, although the pretended object of our first attack on the rebels' independence was the necessity of a much larger effective military establishment in Oude, we have since the treaty had permanently a less force than before. The average number has been from 10,600 to 12,500 men from the year 1802 to the last account in 1805, and the greater part of these scattered up and down the ceded provinces, in the brilliant employ of the collectors of the revenue, to the great annoyance of the natives, and the ruin of the discipline of the army, as has been stated to you by Sir James Craig, in his evidence at your bar. I cannot help asking here—what can be a stronger proof of the falsehood of our reason for marching in our troop than this statement, which is surely correct? But are our finances improved by this measure? Ask the India company. It has been acknowledged that the flourishing statement of the probable future revenue of the ceded provinces, by Mr H. Wellesley, has never been realised. * You have been told by an honourable director, (Mr. Robert Thornton) the immense increase of debt, during the administration of Lord Wellesley; and much am I deceived, if the committee you have just ap-

pointed to enquire into the state of the company's affairs, will not soon furnish you with a statement much less encouraging than the one you have heard. How, indeed, can it be otherwise? Can this system of eternal war, of extended territory, be carried on without a proportionate expence, and consequently of increase of debt? Firmly am I convinced, that all your debts and embarrassments are owing to the wretched and disgraceful system of extortion and plunder you have pursued. But will it be said, that our government is more secure. How will the friends of Lord Wellesley prove this? Is it by the temporary subjugation of the princes of India? Is that the security on which we must rely, should the present ruler of France carry into execution his projected attacks? Is there one of these princes on whom you could, in such case, rely? Your treatment has made them your bitter enemies in heart—though they are now your humble slaves. The appearance of an European army would rekindle the flame of resentment, which, if suppressed, can never be extinguished. A government by force, as has been recommended by an honourable gentleman, (Mr. Whitshed Keene) cannot be durable. It is physically impossible, that 30,000 Europeans should be the absolute masters of sixty or seventy millions of the inhabitants of India, subdued by violence or treachery. For, let gentlemen look at the map of Hindoostan, and they will see the extent of the mischief in which this wretched system has involved us. From the extremity of the Malabar to the Comorandel coast, all is British influence and oppression. How have you treated the nabob of Surat?

Surat? He had a divided authority with the company; you have taken it from him, and made him a pensioner on the bounty of the company---a mere cypher of authority, subject to your will and pleasure! How have you treated the unhappy chiefs of the southern Polygars? You have razed their forts, hung them up at the doors of their own palaces, and transported to New South Wales their relatives and adherents! What have you done with the Rajah of Tanjore? You have made him what you call a treaty with him, by which you have taken all his dominions from him and pensioned him off! What has been your conduct to the Nizam? When you parcelled out Tippoo's dominions, you in your bounty gave him a part; you have taken them from him by a similar agreement which you call a treaty, under the pretence of a commutation for subsidy---and if Lord Cornwallis had not returned to India, you were on the eve of introducing the same reform into his military establishments, as you did in Oude, so indeed would you have done with the Peshwa, but for the interference of that rejected nobleman. How have we conducted ourselves to the nabob of Arcot? We have made a treaty with him too!---Ah! sir, such a treaty, attended with such circumstances, as it will be my painful duty to state to the house hereafter, suffice it now to say, he retains not a vestige of power. With this curious view of our situation in India, is there any man bold enough to view it without apprehension? But, sir, though last, not least, in the contemplation of every benevolent and feeling mind, has the condition of

the natives been improved? Has any system of police been introduced? any plan even proposed for the melioration of the condition of the lower orders (those for whom, as the right honourable baronet states, British laws were peculiarly calculated)? Has the industrious not been protected in the enjoyment of the fruits of his industry, against the extortion of the zemindar? --No, sir, we hear of *reforms*, but the people have experienced none; their condition in the space of four years, and upwards, has been not one whit mended, and this we have from the authority of Mr. Sturteley, who was a judge in one of the ceded provinces. He tells you, that up to the year 1805, this detestable police (as the right honourable baronet represents it) remained in the same state; not one step had been taken by the British government to improve the police in the ceded provinces. This gentleman was judge at Midnapore, the very spot to which the Mahrattas marched, in their way to Bengal, in 1780, and we have evidence from him of the state of his province. He says, that continued disturbances arose, in consequence of the substitution of our military for the forces of the country, in the collection of the revenues, and he was actually obliged, in order to preserve the peace of the country, to dismiss the military, and restore the police to the zemindar, and by that means the people were satisfied, and the province tranquil---What too does Mr. Riley, the judge of Etawa, say? Does he furnish you with the glowing portrait of the peace and happiness of British rule in India, so feelingly contrasted by the right honourable baronet, with the anarchy and misery of the native governments?

Where

Where is the magic wand, which was, at the instant, to convert intention into submission, and, in the name of British justice, to substitute civilization and good order, for barbarism and revolt? And now, Sir, the amendment of which notice has been given to, the right honourable baronet on the last motion, brings me to the personal question, as it immediately affects the noble marquis. I have before said, I consider this the least important view of the subject, because the destruction of the system, not the punishment of the man, is, and ought to be, our object. The right honourable gentleman seems to think otherwise, and if lord Wellesley can be saved harmless, 'the suffering millions' of India (as in contempt he is pleased to term them) may remain pillaged, oppressed and subjugated. Let us then consider, if in truth and justice, the noble marquis can be saved harmless. Sir, I am well aware how much the brilliancy of exploits dazzles and exalts the judgment, how much the recollection of splendid victories, achieved in a good cause, shuts our eyes to future misconduct in a bad one. It is a natural and irresistible feeling. The achievements of the noble marquis in the Mysore war against Tippon, and the complete destruction of French interest in India, the consequence of that event, entitled him to the highest commendations of his country --- It is impossible to speak in terms appropriate of the peculiar merit which attended that exploit, not only in its success, but in the vigorous and energetic measures of lord Wellesley, which preceded and ensured it. His conduct, on that occasion, reminds me of the splen-

d and useful qualities attributed by Cicero to Pompey, when he wished to prevail on the Roman senate to appoint him to a command in the war something similar. 'Labor in negotiis, fortitudo in periculis, industria in agendo, celeritas in conficiendo, consilium in providendo.' All these attributes the noble marquis may justly lay claim to, in the war against the Indian Mithridates, and if he had, immediately after this conquest of Mysore, left India, he would have merited the unqualified approbation of his countrymen. But, Sir, after reading the papers on your table, of his subsequent conduct, is there any impartial man who will venture to say that his laurels remain untaded, untarnished by his subsequent conduct? Highly as I respect the talents of the noble marquis, I cannot permit the brilliancy of those talents to shut my eyes against the acts of tyranny and injustice we are now examining? I impute to him no corrupt motives, but is that unbounded ambition, which permits no obstacles to the attainment of the most unjust ends, no crime? Is such an ambition less fatal to the interests and character of a great nation than personal avarice? Insatiable as they both are, the effects of ambition are more pernicious, because more extensive and durable. With a considerable bias on my mind in favour of lord Wellesley, I feel compelled to pronounce a verdict of guilty, and that against him alone, for plainly manifest is it, that in the whole of these momentous proceedings, whilst his disregard and contempt of the company's authority has been avowed and justified by the right honourable baronet, he has not even condescended to communicate

municate to his council his intentions towards Oude. I had nearly forgot the justification of the noble marquis from the subsequent approval by the court of directors. How does the right honourable baronet construe an approval of the treaty into that of lord Wellesley's conduct? An honourable director (Mr Grant) has told you, that the naked treaty alone came to them, without one explanation of the manner in which it had been obtained, or the circumstances which preceded it. I wonder not they should approve a treaty, which (if they gave credit to the brilliant statement of the future revenues of the ceded provinces by Mr H Wellesley) promised so great a relief to their embarrassed finances, but when they did know all the circumstances attending it, did they then approve lord Wellesley's conduct? No, Sir, on the contrary, they stood forward, as manfully and honourably as they do now, to express their reprobation and abhorrence of it. On what then rests this part of the justification? It is as specious, but as fallacious as the rest. I fear, Sir, I have nearly exhausted the patience of the house, indeed I am nearly exhausted myself, but I was anxious fully to state the reasons of my vote on a question, which I consider most important to the interests and character of Great Britain, which has employed an attentive consideration of some weeks, and to which I have brought only an anxious desire for truth. One word, Sir, before I sit down, on the subject of reparation to the party injured. I wish this point had come under the consideration of the noble lord, and a motion had been directed to this object. Reparation to the injured is

a proof of the sincerity of our repentance of the act. I think the committee now sitting, and to which I have alluded, is the proper tribunal to which reference in this case might be made, but I dictate not to the noble lord. Sir, I shall detain you and the house no longer, I am thankful for its indulgence, and of which I am conscious I have taken an unreasonable advantage.

Mr. HENRY WELLESLEY said, that it was with the greatest reluctance that he ventured to obtrude himself upon the time of the house, upon a question of such importance, as that now under its consideration, but, having been principally concerned in the execution of those measures, upon which the noble lord's resolutions were grounded, and having been personally alluded to by an honourable gentleman (Mr Lushington) who spoke last but one previous to the adjournment of this debate, he trusted that he should be excused if he troubled the house with a very few words. During the several discussions which had taken place upon this subject, previous to the last session of Parliament, he had not the honour of being a member of the house, and he therefore had no opportunity of expressing his sentiments, even upon those parts of them which related personally to him. It was for that reason, as from what fell from the honourable gentleman opposite to him (Mr Lushington) before this debate was adjourned, that he was anxious to avail himself of this occasion to state that, although, during his employment in Oude, he acted for the most part under instructions from the supreme government, yet that nothing could be further from his disposition than

to shrink from any responsibility, which might be supposed to attach to him for the share he had in these transactions. The honourable gentleman (Mr. Lushington) expressed his surprise that one of his first acts, immediately after territorial cession, should have been the establishment, in the ceded provinces, of a monopoly of salt, and he asked him where he had learnt that branch of political economy? Now, the honourable gentleman was mistaken as to the period when that monopoly was introduced into the ceded provinces, for it is not introduced till nearly a year and a half subsequent to the cession, when the territorial settlement had taken place, and when the company's civil and judicial system had been completely extended over those provinces; and, if the honourable gentleman would take the trouble to enquire, he would find that a monopoly of salt forms one of the company's principal sources of revenue in the province of Bengal. He could not see, therefore, why the establishment of such a monopoly, under proper regulations, in the ceded provinces of Oude, should not be proportionably productive as a source of revenue, and as little oppressive on the inhabitants, as long experience had proved it to be in the province of Bengal.—After the gentleman's comprehensive speech, the right honourable friend opposite to him, (Sir John A. Stuart) began to say he should trespass no longer upon the time of the house, if he attempted to enter, to any great extent, into the general question before it. He certainly thought, (and he was persuaded that he spoke the sentiments of most of the gentlemen present, who were con-

versant in the affairs of India, when he said) that on night of council over the affairs of Oude, as fully established by the peculiar nature of the intimate connections subsisting between the East India company and the government of Oude, a connection which could not be dissolved without consequence the most injurious to both states, and probably destructive to the government of Oude. Much had been said respecting the interference of lord Wellesley's immediate predecessors in the affairs of Oude, and he certainly could not conceive a more direct and positive act of interference, or one which went further to establish the dependency of Oude upon the East India company, than that which was exercised by lord Teignmouth, when, with the assistance of a British army, he expelled vizier Ali whose elevation to the musnud he had been to secure, and placed the present vizier Saadut Ali in his room. In advertent to this transaction, he had no other object in view, than to call the attention of the house to lord Teignmouth's opinion, with respect to our relations, in Oude, whose authority, so deservedly respectable upon all subjects relating to India, is so much conclusive upon this particular point, and he hoped it would be understood, that nothing was farther from his intention than to impute the slightest blame to the noble lord for his conduct upon that occasion. On the contrary, he thought that, under circumstances of great difficulty, and, he believed, of personal danger, lord Teignmouth displayed a degree of judgment and firmness, which was highly creditable to his character. He also thought that

his

his decision was founded in strict justice, but was it only where justice was due to others, that our interference was warrantable? but where it was due to ourselves, in a case where our security depends upon our interference, are we to remain inactive spectators of the ruin of the resources upon which that security was to depend, nor could it be maintained, that the governor-general should have postponed his interference till that ruin was accomplished, rather than have interposed his authority to prevent it? That it was fast approaching, was abundantly proved by the papers upon the table; and he would ask the house, what must have been the condition of those provinces, if, in addition to the calamities under which they were suffering, they had been exposed to the evil of becoming the seat of a Mahratta war; and yet, had those provinces continued under the direction of the vizier, at the breaking out of the Mahratta war, it would have been utterly impossible for lord Lake (whose loss the public and his friends have so much reason to deplore) to have achieved that brilliant campaign, for which, among other marks of distinction deservedly conferred upon him, he received the thanks of the house. His army would have found sufficient employment in restraining and keeping in check the mutinous and disorderly troops of the vizier. Had he attempted to advance beyond the frontier, the country would have been in open rebellion; his supplies (if, indeed, he could, have procured any from a country in such a condition) would have been cut off, he must, therefore, have remained in Oude upon the defensive, and (in addition to the evils of a protracted war) from the

inadequacy of his force to cover the whole of a weak and extensive frontier, he must necessarily have left many parts of the country exposed to the incursion of the Mahratta army. In consequence, however, of the introduction of the company's authority into those provinces, lord Lake was not only enabled to draw his supplies from them, but to apply the whole of his force to the attack of the enemy, and thus he finished, in one campaign, a war which might otherwise have been protracted to a period of several years. These were a part of the advantages resulting from that territorial cession, a demand for which he maintained not only to have been justifiable, not only conformable to the spirit of the stipulations contained in the treaty of 1798, but absolutely necessary to our security. The vizier had repeatedly intimated to the resident, his apprehension of a total failure in the resources of the country, and in proportion as it was essential to the interests of the company, and of the vizier, that a large British military force should be permanently stationed in Oude, in the same proportion was it necessary, that the resources by which that force was to be maintained, should be preserved from failure. And, considering all the circumstances detailed in the papers upon the table, of the radical defects of the vizier's system of administration, of the mutinous spirit, and total want of discipline prevailing in his army, of the annual progressive decline of the revenues and resources of every description, and of the existence of a formidable French establishment, permanently stationed upon the most vulnerable part of our frontier, he repeated

peated that, under such circumstances, the governor general who ever he might be, would not only have been unworthy of the trust reposed in him, but would have been guilty of a criminal neglect of his duty, if he had not taken effectual means for placing the company's interests in Oude, as connected with those of the vizier, upon a permanent foundation of security. The arrangement, as it now stands, has proved equally advantageous to both parties. The company no longer depends for the regular discharge of the subsidy upon the precarious realization of the revenues. On the other hand, the vizier, with a diminished territory, had, in a pecuniary view, derived a considerable advantage. For, although the districts ceded to the company, were rated at a crore and thirty-five lacs of rupees, it appeared, upon an examination of the accounts of the annals of the several districts ceded, that not more than ninety lacs had ever been paid into the vizier's treasury from those districts, consequently he was a gainer of more than *forty* lacs of rupees annually, by the new arrangement. The noble lord (Folkestone) had stated, in his resolutions, that in pursuing this measure, lord Wellesley was actuated by motives of ambition and aggrandizement. But he positively knew that he pursued the whole progress of this arrangement with a degree of personal labour, solicitude, and anxiety, almost unparalleled, under a conviction that his duty required the steps which he took, and that he was acting in a most important and urgent case, not only for the advantage, but for the very existence of the interests committed to his charge. He also acted under a conviction, that his

proceedings were consonant to the wishes and intentions of his employers at home, nor did he receive the least intimation, nor even a hint, that his measures in Oude were disapproved by the court of directors, until his return to England, in 1806, more than four years subsequent to the conclusion of the treaty. As to the motives imputed to him by the noble lord (Folkestone) he took upon himself to assert that in this, as well as in every other measure connected with his arduous administration, lord Wellesley had been actuated by no personal motive whatever, unless, indeed, it were that which (although so nearly connected with him, he trusted he might be permitted to say) had distinguished every act of his public life,---an anxious and unremitting zeal for the welfare and interest of his country. And he would put it to the house, whether, if the reports which had reached this country respecting the designs of Buonaparté upon our possessions in the East Indies, and of the progress which he had made in the furtherance of those designs, be entitled to any credit, whether this was a time to propose to the house to pass a vote of censure upon the measures which are best calculated to defeat his designs? An honourable director (Mr Giant) had said, that the system of policy pursued by lord Wellesley, during his administration, was likely to prove injurious to our interests in India, at the present crisis of affairs. Did the honourable director think that our interests would have been safer, if the power of Tippoo Sultan were still in existence, with the means which he possessed from the extent of sea-coast, which formed one of the boundaries of his dominions, of facilitating

ting the landing of a French army in the peninsula? Did he think that our interests would be safer, if the native powers of India were free from all connection with the British government, some of them with large French establishments in their service, one of these permanently stationed upon the most vulnerable part of our frontier, and upon that part of it which (in the course he was supposed to be pursuing) would immediately present itself to the enemy? Was it not evident that if such were the political state of India, at the present moment, that the danger which was supposed to menace it from the projects of Buonaparté, would be infinitely more formidable than it now is? And, lastly, he asked, if, at the present crisis of affairs, we derived any security from the destruction of the French power in India, and from the establishment of our influence over the councils of the native princes, was it not solely to be attributed to the measures pursued by his noble relation during his administration?— He said, he had only further to state, that as far as he was personally concerned in the transaction before the house, fully impressed as he was with a sense of the important advantages resulting from it, if he thought it possible that the resolutions, proposed by the noble lord (Folkestone) would be sanctioned by a vote of this house, he certainly should deeply lament it. But there was one part of this transaction to which he had not yet adverted, and to have been concerned in which could not fail, under any circumstances, to afford him the highest gratification, and that was, that he should have been instrumental to the relief of several millions of people from the

most dreadful system of tyranny, oppression, and violence, that ever prevailed in any part of the world.

Mr C GRANT, in explanation, said, that the war with Tippoo was one of defence. Here the measures were those of aggression.

Mr. GEORGE JOHNSTONE felt great difficulty in offering his opinion upon the conduct of a person, who, on some occasions, had done great service to the country, and to whose motives he did the amplest justice. He had, at the outset of the noble marquis's government in India, been one of the first to offer his tribute of praise to his splendid actions, and it was not till he saw him enter upon a line of policy bad in itself, and disapproved of by the company at home, that he changed his opinion. It should appear from the papers on the table, that our frontier was in danger, and it was necessary to secure it; that would be a full justification of the noble marquis's conduct, but if, on the other hand, it was evident that no further security was necessary, and that his system went only to destroy the independence of every native power in alliance with us, and to interfere with their internal government, a double portion of censure ought to fall on him. In order to shew this to be the case, he would consider the subject under four heads; 1 The rights of the nabob of Oude by treaty, 2 His conduct under these stipulations, 3 The negotiation which was pursued for the purpose of procuring the disbanding of his troops, and, 4. The negotiation which compelled him to cede the half of his territory in commutation of his kists. The honourable gentleman then entered upon a detail of the circumstances that led Saadut Ally to the musnud,

musnud, and went through the articles of the treaty concluded between him and the company, in 1798, and contended that the danger of invasion from Persia, was as great at that time as it was at any future period. From this circumstance he drew the conclusion, that as the territory of Oude was not seized when the treaty was concluded by Sir John Shore, there never was a future occasion for resorting to such a measure. And what was the reason assigned for not seizing it? because it would ruin our character for justice and forbearance over all Hindostan. The treaty was concluded, and government pronounced it to contain every thing beneficial and desirable, and to be fully competent to the security of the interests of both parties. The nabob was sincerely attached to, and zealous in, the service of the company; to whom, on a pressing occasion, he gave money from his private treasures, and his family horses for the purpose of mounting a regiment. We were, therefore, in every sense, bound to the strict observance of the treaty; yet what would they say, judging fairly and impartially, when ten months after, they found the governor-general determined to break through it, to pursue the system of wresting the Doab from the nabob, interfering in his civil government, and disbanding his troops. From several letters this appeared to be his determination, and it was postponed a twelvemonth by the more important affairs of the Mysore, which were no sooner settled than Mr Lumsden was recalled from Lucknow, and colonel Scott was appointed resident here. It was then they proceeded with violence to procure the dismissal of the nabob's troops,

for the purpose of spreading their own over his dominions, and taking the collection of the revenue, as well as the authority of governing, out of his hands. He called upon the house to consider, in this place, the representation made by the nabob, (which he read) and, he was sure, if they did not feel for the cruelty and aggression that had been exercised towards him, they would be destitute of those feelings which a British parliament was never yet found to want. Yet, to this representation, so humble and so expressive of attachment, the most harsh and severe answer was returned by the governor-general. It made no alteration in his plans, and he went on with them in direct violation of the treaty, and that in a manner calculated to degrade the nabob in the eyes of his people. These measures at last threatened that the troops of the vizier were reduced to the amount of $14\frac{1}{2}$ lacks, and a further practical reduction proposed, amounting to 15 lacks, besides the troops of that great officer Almas, who was countenanced, by the British government, against his own master, amounting to eight lacks. This, however, does not satisfy the governor, and the next step is to take an improbable alarm respecting the failure of the resources, and to demand a cession, not only of a part, but of the whole dominions of Oude, without leaving the sovereign any power at all, but remaining merely as a pensioner on the company. If any thing could equal this outrageous proposal, it was the double dealing manner in which it was wished to be effected, by asking the nabob to make an application to have it done as a favour to himself, and for the benefit of his people. He

resisted

resisted it with meekness, but with firmness, and then came the letter accusing him of ingratitude, and threatening to send troops to take forcible possession of his territory. A demand of 38 lack of rupees is instantaneously required to be paid. This sum had increased from 17, in eight months, and he doubted that any part of it was due, for, from the accounts before the house, it appeared that, in former years, the expenditure of Oude was less than the payments. Thus, in the three preceding years, the expenses had been 60, 90, and 80 lacks, while the payments were 67, 98, and 92 lacks. Thus pressed, however, the nabob made an offer so fair, that the resident at Lucknow wished to conclude a treaty with him upon that ground. It was a cession of territory to the amount of one crore 20 lacks, for the payment of the additional troops marched in by command of marquis Wellesley, but even this was rejected by him. Harassed at last by all these means, the nabob only wished to resign the territory of his ancestors to his son, and by the most respectful means, a petition of right, addressed to the governor-general on this subject, but this also was rejected in a most harsh and cruel manner. He doubted much that even the noble marquis would have succeeded in his object, had he not appointed his brother to be resident at Oude, which appointment, by the way, was illegal, as being made without the advice or consent of the council. To do away the levity with which gentlemen were too apt to look at the treatment of this sovereign, he here read copious extracts from the reports of the negotiators sent to Lucknow by marquis Wellesley, and ammad-

verted, with great severity, on the absurd assertion, that the nabob, despoiled of one-half of his territory and revenue, was now happier and richer than he was before. There was something mysterious, and concealed too, in the correspondence of the honourable gentleman behind him, (Mr H Wellesley) and his brother. The letters were marked 'private,' there were inclosures that were never seen, and it was not till sixty days after the changes had taken place, that a detail of them was made known to the government. He had also to remark on the conduct of the right honourable gentleman himself, who seemed to have imbibed a harshness in this affair, very incongenial with his usual meek and mild temper. It was not so strange that the noble marquis, elated with his successes, and governor-general of India, should treat an independent sovereign with haughtiness, but he could not be reconciled to the honourable gentleman, (Mr. H Wellesley) expressing 'his utmost indignation and surprize' at the conduct of the nabob, for a circumstance which, in his view, was calculated to excite neither surprise nor indignation. It was pitiable to see the answer returned by the nabob to the letter containing this expression, so humiliating not only to himself, but to the king of Great Britain, the parliament, and country, whose names, he was sorry to say, had appeared too often in the threats productive of these submissions. The honourable member recapitulated shortly his preceding arguments, and apologized for the time he had occupied the house, but it was from detail alone that this business could be understood. The pretence for marching troops

troops into Oude was futile, for there was not the slightest danger to be apprehended from Zemaun Shah, although from the days of Nadu Shah it had been the general cry in Hindostan, whenever the weather fit for marching troops, set in, 'the Persian conqueror is coming.' In 1796 they had penetrated 200 miles into the country of the Serts, but even then they were 300 miles from the frontier of Oude, and the Malhatta states lay between them. All circumstances concurring the same, would it be alleged, that the Governor-general was entitled to change a system which was approved of by those who appointed him? If he did so it must be on a real, and not an imaginary necessity. The honourable gentleman who spoke last, had asked how we could have carried on the Malhatta war?—Would to God we had never had the power to carry it on, or any other so destructive to our interest in India. He contended that the nabob was independent, and as to the argument, that he was bound in gratitude to the company, it appeared to him the same kind of gratitude that was due from Prussia to Buonaparte, after he had taken all he had any use for, and left that sovereign dependent upon him for what he allowed him to retain. It was urged that the nabob was only independent from having wrested his dominion from the Moghul, he would ask whence came the independence of the East India company, who were nothing more than the keepers of his exchequer. But, it was needless to argue on supposition, since he had it from the highest legal authority in this kingdom, that of the lord Chancellor, who had decided that the nabob of Arcot was an inde-

pendent sovereign, at a time when he was not possessed of half so good a title to it as the nabob of Oude. It was still a more whimsical defence to adduce the evidence of marquis Cornwallis, who had said that such a system destroyed in India the opinion of the justice, moderation, and good faith of Great Britain. The opinion of lord Teignmouth was also pressed as unwarrantably into this defence, for the treaty, he concluded, in 1798, was an existing proof of the direct opposition he gave to the principle. An attempt had also been made from the 12th article of the treaty, to prove that the company had a right to march troops into Oude, and take security for any arrears of the kists; but this, he shewed, was a fallacy in the present instance, as no arrears had been contracted, and the only pretence was arrears due at the time the treaty was concluded. He had next to consider a little the general policy of this system. Why were they so anxious to improve the discipline of the troops belonging to the nabob? These troops were the same as all the troops in India, and such as enabled them to make their conquests, and the first thing they would have done would have been to repel the treatment they had met with. The honourable gentleman here digressed into a statement of the customs of the casts in India, their importance, and the general tendency of that kind of association. He then turned to the assertion that had been made with regard to the revenues of Oude in particular, and shewed from a long calculation, that this country, so desolated and disgraced, produced more revenue in proportion than Bengal, which was reckoned the

most

most productive province in the possession of the company--Oude yielding 57*l.* 10*s.* per square acre, and Bengal only 40*l.* 10*s.* The new system had introduced the monopoly of salt, but from the difference of situation between Oude and Bengal, it had been found so destructive and ruinous, that it was obliged almost immediately to be abandoned. The use of spirituous liquors, so strictly forbidden by the Mahomedan law, was also introduced and legalized in Oude. He would ask, if any advantage had been found to arise from this?-- Having, hitherto, considered the question without any personal application to the noble marquis, he trusted the house would pardon his encroaching on them a few minutes longer, in making some remarks on it in that point of view. The council was designed to deliberate with the governor-general on any plans he might form, that by a previous discussion in detail, the nature of the intended measure might be ascertained, and not only that, but for the purpose of having on their journals a sufficient account of transactions to be transmitted for the information of the government at home. But if, as in the case of the noble marquis, the governor-general chose to pass by this part of the constitution of India, and keep his plans in his pocket, he would be relieved from the most important check upon his conduct. He got rid of forms which were thought necessary in the case of a cabinet minister at home, and were much more necessary at the distance of ten thousand miles, where they were the only means left for controlling the exorbitant power of the head of the establishment. The negotiation was not recorded till long

after it was finished, so that neither the council nor the company, for several months, knew any thing of the matter. As for the thanks voted to the noble marquis, they proceeded from ignorance, for it was imagined that the governor-general was doing nothing more than securing the company's revenues in Oude. But his measure, did not add either to their security or their revenues. The Rohillas were in the same state as ever, and in 1804-5 their revenue was less than it was in former years, because their charges, which always grew in proportion to their wealth, were greater. The revenue was one crore, 43 lacks, the charges 48 lacks, which, with 20, as the expense of a regiment of cavalry, and two of Sepoys, and left 76 lacks, the same time the nabob was bound to pay them, but he had always paid more, and in the preceding year paid 115 lacks, being nearly 40 more than was raised by the new system. In detailing the various measures which he thought beneficial to India, he gave his warmest praise to the permanent revenue mode, adopted by marquis Cornwallis, which would in time very much meliorate the condition of the natives. The system of jurisprudence he considered as too complicated to have any good effect. As for the melioration of Oude, the promise of it was forgot the moment they got possession of the territory; not a single attempt had been made to accomplish it in the slightest degree, and by this means the British name and troops were made the instruments of oppression, as they were employed in collecting the revenue and other unpopular acts, which were formerly done by the authority of the vizier. They had added

added to the evils of the Indian government, the evils of an European military system—a system which had been tried at Goruckpore, and had but waste that district. Having thus taken notice of the principal objections against the noble marquis's government that occurred to him, he had only to add, that thinking his motives pure, he would not concur in pressing this charge any further than censure. An impeachment he considered as improper, and if in his power, he would rather correct the resolutions, carrying them no further than the opinion of Marquis Cornwallis, that the system was destructive to the character of justice, moderation, and good faith, hitherto maintained by the British in India. Whatever difference of opinion might exist between him and his friends of the past, he was sure they had only one mind as to the future. They had nothing to say against the eulogies bestowed on the noble marquis, for his conquests and victories, they only begged to have no more victories for the future. They wished it to be strictly said, we abjure conquests, and will pursue victories no longer. The honourable member concluded, by noticing what had been said on a former night. Those, that had compared the court of directors to twenty-four printers, ought to recollect that they were the men who put a stop to this ruinous system, and sent out Marquis Cornwallis to put a termination to it.

Mr S R LUSHINGTON (member for Rye) was perfectly aware of the difficulty under which he rose to address the house upon this important and extensive question. If local knowledge, obtained during a long residence and service in

India, should lead him into much detail, he should incur the hazard of wearying the patience of the House, and if he altogether neglected that detail, he might sacrifice the real merits of the case. He should endeavour in deference to the feelings of the house, to be as concise as possible, at the same time not to abandon the substantial justice of the question. After all the declamation the house had heard, then judgment upon this question must be founded upon the treaty made with the nabob of Oude by Lord Teignmouth in 1798, but as that treaty confirmed all former treaties, not contrary thereto, it was necessary to review the principal stipulations of those treaties, and the practice of successive governors-general, as approved by lawful authorities in this country.—The honourable member then took a comprehensive view of the several treaties from 1765; shewing the inequality of stipulations and conditions in those instruments as respected the two contracting parties, and thence inferring the inferiority of the nabob. He then endeavoured to convince, by the conduct of Lord Cornwallis in 1787, in augmenting the British troops at the expense of the nabob, and on his Lordship's mere will, without any apparent or alleged necessity, that the superiority of the company was acknowledged and acted on. This interference he also shewed had been approved by the directors. He lastly proceeded to examine the treaty of Lord Teignmouth.—The treaty of Sir John Shore, now Lord Leignmouth, remained to be considered, and any gentleman who had read his lordship's minute upon this subject, could not entertain a doubt that lord Teignmouth knew the sove-

reign power of Oude was vested in the company. His lordship had stated, that he acted upon this conviction when he deposed Vizier Ally from the musnud and placed Saadut Ally in that situation, and certainly this interposition was one of those extreme acts of sovereign power, which nothing but the undoubted possession of that power, and an irresistible necessity for using it, could justify.---Under this correct impression of his power, and of his duty as governor-general, Sir John Shore deposed Vizier Ally, and placed Saadut Ally on the musnud. The treaty formed on that occasion, bound the company to defend the dominions of Oude against all enemies, and to enable them to perform this engagement in a better manner, the former subsidy, of 56,77,638, was augmented to 76,00,000 --- The first part of this treaty, which Mr Lushington would particularly notice, was the last, because the noble lord who had brought forward these accusations, had put a construction on it which, in Mr L.'s judgment was not its correct meaning. The words to which he alluded were these 'The said nabob shall possess full authority over his household affairs, hereditary dominions, his troops and his subjects.' These words considered apart from the rest of the treaty, would release the nabob from all connection with the company. If the nabob were really to possess full authority over his hereditary dominions, what became of the second article of this treaty, in which his highness commits 'the defence of his dominions, against all his enemies,' to the company? If it were to possess full authority over his troops, as they then were in number, what force would then

remain to the twelfth article of the treaty, in which the nabob engages to consult with the company's government, and in concert with them to devise the proper objects of reduction in his establishments? If he were to possess full authority over his subjects, he might employ them as diplomatic agents to any foreign power or state, in violation of the thirteenth clause of this treaty, where the 'nabob engages not to carry on such correspondence, without the knowledge and concurrence of the company' --- Mr. L. would not go more fully into the other clauses of the treaty, for he had said enough to convince the house that this treaty must be construed by that rule of law and reason which taught them, in the interpretation of all public covenants, to consider the whole of the stipulations connected together, not to regard only some general expressions that militate, under the construction put upon them, against the specific and most important articles of the covenant. For these obvious reasons, Mr L. thought the house would agree with him, that the nabob was to possess full authority over his household affairs, hereditary dominions, troops and subjects, as far as might be consistent with the specific clauses of that treaty --- Of those clauses, the twelfth was that upon which Lord Wellesley was first called upon to take any particular measures. His lordship knew, from all the communications, and directions received from the court of directors, that the reduction of the large, useless, and expensive military establishment, within the Oude dominions, was one of their most earnest desires; and as the vizier was bound by treaty to concert with the company's

ny's government the proper objects of these reductions, Lord Wellesley required the vizier to carry this intention into effect. During a period of war and menaced invasion, when reduction was impracticable, the nabob had professed a desire that the reform might be made, but when a season of peace presented a fit occasion, far from co-operating in this reform, he opposed the deepest artifices and most obstinate delays, until the season of produce and collection having arrived, the difficulties of this reform were greatly aggravated. To fulfil this indispensable measure, and, at the same time, to protect the dominions of Oude from foreign invasion, Lord Wellesley introduced an additional number of the company's troops into the province, and after a long struggle on the part of the nabob vizier, and frequent mutinies amongst his troops, they were reduced from the number of 65,000 men, to about 45,000 men. After a deliberate examination of the treaty, and of the papers upon this subject, the conviction of Mr. Lushington's mind was this, that Lord Wellesley, in the reduction of the troops, did too little, and not too much. For the foundation of this impression he referred to the twelfth article of the treaty, to the explanation given of it by Lord Teignmouth and the nabob himself, from which it was clear, that the nabob's troops were to be reduced to 35,000 men at least, or still lower if necessary, to secure the payments under the treaty. Mr. Lushington here read to the house the article of the treaty, and the explanations of Lord Teignmouth and the vizier, to which he alluded,---*Lord Teignmouth's evidence*: 'I think there was a proposition made for the specific pur-

pose of reducing the nabob's military. The nabob was afraid that a specific proposition of that kind might excite alarm, and on some discussion with the former minister, Tofassul Hassan Khan, I think this article (the twelfth) was substituted for the plain article, stipulating a reduction of the troops, and that it was perfectly understood the company should interfere for the purposes expressed in this article so far as might be necessary for securing the payment under the treaty.---*From the nabob vizier, 19th Feb 1800.* 'Your lordship is in every respect desirous that the dignity, respectability, and outward state, of this government should be maintained. For this purpose it is necessary that a suitable body of troops be maintained after my own manner. Accordingly, in the first draft of the treaty, Sir John Shore, bart proposed thirty-five thousand men, cavalry and infantry.'---Having thus established the right and duty of the governor-general to compel this reduction of the military, Mr. Lushington would not long detain the house upon the policy of that reduction. The noble lord, who had brought forward these charges, had himself affirmed, that 'the nabob's forces were composed of disorderly and irregular troops, unaccustomed to the rules of good discipline, and disaffected to his person'. This admission precludes the necessity of referring to the body of evidence, upon this subject, before the house, attesting that these troops were both useless and dangerous. It needed neither argument nor language, to impress upon the house the extent of this danger, for it was self-evident, that one of the most formidable perils to which any state can be exposed

exposed is, the disorder and disaffection of its military power! And here Mr L. reminded the house of the experience which the British government had acquired of the services of similar troops, in their early wars against the French, in the Carnatic. He had the authority of that accurate and elegant historian, Orme, for declaring, that they were an obstruction, rather than an auxiliary, to that success, which, after an arduous struggle of fifteen years, finally crowned the British arms. 'The reduction was demanded, not less by policy than by treaty, and the vizier was bound, by the seventh clause, to pay the expense of the company's troops introduced into his country. But he failed to make good this payment, there occurred an arrear of twenty-two lacs, and Lord Wellesley put into execution the following article of the treaty --- 'If, contrary to the sincere intentions and exertions of the said nabob, the payment of the kists should fall into arrear, the said nabob Saadut Ally Khan, engages and promises, that he will then give such security to the company for the discharge of the existing arrears, and the future regular payment of the kists, as shall be deemed satisfactory.' The only security which could be deemed satisfactory in a case of this description was that which Lord Cornwallis had suggested, and the court of directors had repeatedly approved, a territorial cession. Lord Wellesley demanded this security, and after a long struggle by the vizier to avoid it, he at length ceded to the company a territory producing a gross revenue of 1,35,00,000, in payment of a net subsidy of 76 00,000. To persons who are not acquainted with the enormous civil and mili-

tary expenditure, in collecting the revenues under a Mussulman government, this amount of cession, in gross revenue, might appear exorbitant. It happened however that a statement upon the table of this house casts considerable light upon this question. — From the statement, compiled by Mr G. Johnstone, and entered at the end of the minutes of evidence on the Oude charge, it appears that the gross revenues of Oude amounted to 2,21,70,000. From this gross revenue the vizier received into his treasury at Lucknow only 96,05,000. After discharging the company's subsidy of 76,00,000, there remained a balance from the whole of his dominions of 20 05,000 out of which he had to pay great part of his Oude civil establishment, a large portion of the Hagoory troops, repairs of forts, military stores, public buildings, besides contingent balances arising from calamities of season, or extraordinary disorders in the country. Mr L. had no doubt, that these several items would completely absorb this balance, and leave the nabob without the means of defraying any additional force, even from the revenues of all his dominions. — By the cession of one half of his territories, in lieu of every possible claim on the part of the company, he retained the other half free from all incumbrance, and was therefore, pecuniarily, in a better situation than he was before he made this cession. In confirmation of this reasoning, Mr Lushington called the attention of the house to the evidence of the vizier's own officer, Major Ouseley, who had declared, in the presence of parliament, that 'the nabob is now happy and contented, eased of a burden of a part of the country, continually open

open to the Seiks and Mahrattas ; his splendor, furniture, and houses, in a state infinitely more magnificent than they were before ; for he has more opportunity of knowing what funds he can bestow on these things. Mr Lushington then proceeded to make some remarks upon the speech of an honourable member below him (Mr Johnstone) who had asserted, that all the concurring evidence before the house, confirming the disorder and decay of the revenues of Oude, is not founded in truth ; and that those revenues are in a state of greater prosperity than the revenues of Bengal, or even of the company's most fertile district of Benares. In illustration of this assertion, the honourable member had read a statement, carefully prepared, of the number of square miles in the province of Oude, of Bengal, and Benares, and comparing the revenues of these several districts with the number of miles, he discovered that, for every square mile in Bengal, that there is a revenue of 32*l.* ditto Benares, 40*l.* 10*s.* : ditto Oude, 51*l.* 10*s.* . that it was therefore quite clear that Oude is in a more flourishing state than Bengal or Benares. Mr Lushington was perfectly astonished at this statement. Did not the honourable member know, that cultivation and population were the sources of revenue, and not the number of barren square miles ? Great part of Bengal was occupied by forests and jungles. It might with as much reason be contended, that America, having more square miles than Great Britain, ought to produce more revenue. If this be the sort of knowledge the honourable member possessed of India, Mr. Lushington was happy that his in-

formation of its revenue was of a very different nature. He would not, however, trespass upon the patience of the house, by enlarging more upon this calculation. — The same honourable member (Mr Johnstone) who resided for some time in India, had also stated, that the fear of invasion from Zemaun Shah was an annual alarm ; and that, after a particular season of the year, it passed away, and was heard no more of. It might be very well for that honourable member sitting in security in this house, to treat this danger with derision, but Mr L was not satisfied to form his judgment of this peril upon the present indifference of the honourable member's feelings. He chose rather to refer to the opinion of Sir James Craig, who commanded a frontier on that occasion and who that is acquainted with the fortitude of that officer's mind, could believe him more likely to be influenced by a groundless apprehension than the honourable member, Mr Johnstone. That gallant officer gave it as his opinion, at that dangerous moment, that an army of 20,000 men was necessary to repel what the honourable member was pleased to call an idle alarm and, far from thinking Zemaun Shah was not likely to complete his expedition, he apprehended his army might reach the frontier before he was in condition to receive him ; he feared that, by the celerity of his march, Zemaun Shah might anticipate our preparations. — Mr Lushington here read Sir James Craig's letters upon this subject ; and he begged particular attention of the house to the first sentence, because it was too descriptive of the present disgraceful condition of this country. — Extract

of

of a letter from Sir James Craig, K. B. to the governor-general, marquis Wellesley, dated 13th Oct 1798. They are quarrelling among themselves at Delhi, without seeming much to think of the danger with which they are threatened. The A. act is but about 400 coss from Delhi, a space that may, with the utmost ease, be marched in six weeks, and that without adverting at all to the celerity with which the Shah's army in reported move. It (and it is no very improbable supposition) despising the Seiks, whose behaviour in 1796 was no wise such as to give him cause to hold them in high estimation, the Shah should adopt a bold step, and, leaving a corps of troops to keep them in awe, he should move on with rapidity in the view of anticipating the Mahratta's at Delhi, he may be there in a time that I almost remble to think of. Such, Sir, was Sir James Craig's opinion of the honourable member's annual alarm and who that had ever read or heard of the murdering carnage which attended the former incursions into Hindostan, but must turn with horror from the recollection. Were the Afghans of the present day less ferocious, or less accustomed to the works of blood, than the Persians were at the periods alluded to? or, was the brother who succeeded Zemaun Shah likely to be more merciful than his predecessor? The passions of human nature were the same in all ages, and when the government over them was precisely of the same description, they would be demonstrated by similar actions under similar temptations. What, Sir, were the temptations which the state of Oude held out

to Zemaun Shah at this period? The house had the authority of the nabob himself for saying that the organization of the circar (state) which had, for a long period of time, been very loose and confused, was in the last degree ineffective and irregular; that 'the approaching failure of the resources was to be ascribed to the precarious realisation of the revenues, and to the declining assets of the country;' and that 'for 24 years past, the administration of affairs in this country has been in a state of disorder'---Did this state of Oude offer no temptation to the Afghans in their threatened expedition?---The honourable member (Mr. Johnstone) had given it as his opinion to this house, that the number of 40,000 Mahratta troops, commanded by a French officer (Perrotin,) and having nearly 300 officers under his command, might as well have been called an English as a French force. Mr Lushington had never heard a more absurd proposition. Had that honourable member, then, yet to learn the disposition of a Frenchman's mind? Did he not know that, in every clime and country, he was bent upon the destruction of our power and interests, and that, such was the malignity of his hatred, he would bury even this happy land itself beneath that wave where he now flees from our cannon?---It had been asserted in a former night's debate (by an honourable director, Mr Grant) that the foreign and internal policy of Lord Wellesley had been equally erroneous; that it had destroyed the confidence of surrounding states, alienated the affections of our native subjects, and placed our power in greater danger than at the time
of

of Lord Wellesley's arrival in India. In replying to these extraordinary assertions, Mr L. wished to ask, at what period we had enjoyed the confidence of surrounding states? Did we ever possess the confidence of Tippoo, or his father Hyder Ally? Had the Mahattas ever reposed in security, that we regarded only our commercial pursuits? Did Nizam ud Dowlah, at any period, feel disposed to trust to us? Was there any thing in the nature of our possession in India calculated to conciliate the confidence of surrounding states? Was not the whole derived from conquest, and was it not clear, that whenever our energy should relax, or the union of our power be disturbed, 'Nature, rising up, will claim her original rights, and destroy an unjust usurpation?'---As the best reply that Mr Lushington could make to the unfounded statement of the honourable director, he would here briefly explain to the house what had been the policy of marquis Wellesley, he should speak on this subject with a confidence inspired by local knowledge of India, and a particular acquaintance with his lordship's principles and intention upon his arrival in that country, having held the situation of private secretary to the governor of Fort St. George at that period. No man in that house, whatever might be his humanity, could more anxiously deprecate the necessity of calling the army into the field, than Lord Wellesley did. The humane feelings of his mind would, at all times lead him to resort to this extremity with the most bitter anguish; but at this period it was particularly to be dreaded, in consequence of the embarrassed state of our finances.

He had, however, no choice---his lordship saw, with a prophetic eye, the furies of war brooding upon the mountains of the Balagaut, pregnant with destruction to our power, and with misery to the unoffending people of the Carnatic. To guard against this calamity, there was a facied balance of the powers of Tippoo Sultan, of the Nizam, the Mahattas, and the Company but there was this remarkable circumstance in this balanced power, that we were always sure to have the most powerful member of it against us---This balance of power was established by Lord Cornwallis, but there was established, at the same time, the inevitable causes of its destruction. In wresting from Tippoo, in the year 1792, one-half of his dominions, we secured the implacable hatred of that prince, and every effort of his power and malignity to combine for our destruction. In favouring the establishment of French officers in the soubah of the Deckhan, we cherished a hostile force, which usurped the government of the Nizam, and held the power of that state ready to combine with Tippoo in subverting every object of the triple alliance---Such was the state of India at the time of Lord Wellesley's arrival. Tippoo was then meditating at what moment he should carry the calamities of war into the peaceful vales of the Carnatic; his hereditary malignity inflamed him almost beyond his own bearing, by the loss of half his dominions, conquered from him by Lord Cornwallis. There was a French force controlling the councils of the Deckhan, a corps officered by Frenchmen, in the service of Scindiah, was

in possession of the person of the Mogul, the imperial city of Delhi, and the fortress of Agra; whilst Buonaparte, with a French army in possession of Egypt, had declared that India was his ultimate object. At this urgent moment the wise policy of Lord Wellesley embraced the interests of his country in Europe as well as in Asia; and the vital principle which animated it was this,---that British India should assist us in resisting the overwhelming domination of France. Pursuing this principle with undaunted firmness, he subverted that French influence at Hyderabad, which we before had cherished, and he destroyed the power of Tippoo, whose hatred had been inflamed beyond the hope of chance. He rescued the person and the city of the legitimate sovereign of Hindostan from the possession of France, and he drove back the Mahrattas to their proper boundaries, expelling all French influence from their councils and armies. Such have been the most prominent measures of the noble lord's external policy. In contemplating his internal policy, it would be found that his sagacity had not been less conspicuous, or his success less beneficial to his country. Lord Wellesley found the company under engagements to protect the native princes against all their enemies, with no security that the expenses necessary to defray this protection would, in case of emergency, be available to the company. The past history of our transactions in India demonstrated to him, that it was vain to rely on the munious rabble, the uncertain and unwilling resources of those princes in a period of war. Hence he availed himself of every occasion to commute the subsidy, payable

by those princes, for territorial possession, in every practicable instance, and assuredly there was no other basis of strength, confidence, and peace, to Great Britain in India. Before Mr L. concluded, he intreated the house to consider what had been the condition of British India at this exigent moment, when the union of France, Russia, and Persia threatened our empire with invasion, if the implacable hatred of Tippoo had still animated the power of Mysore---if the soubah of the Dekhan had still been under the controul of a French force---if French-Mahratta troops had still hung in defiance upon our unprotected frontier---if the dominions of Oude had still been filled with 65,000 disorderly, disaffected soldiers---and if we had still relied, for the support of our own army, upon the resources of a state in the last stage of weakness and decay---Mr Lushington could not reflect upon the events which had removed these mighty dangers, without a mind filled with gratitude to the noble marquis a gratitude founded on public affection alone, for the only favour he had ever sought from the noble lord was, peremptorily refused. it was refused, however, from such public motives, that he could not but respect the principle of the denial. The house might, therefore, be assured, that the opinions which Mr. Lushington had taken the liberty of stating to them, were the unfeigned feelings of his mind, and that he should be at all times prepared to avow and to verify them. He trusted however, that the cloud which had too long obscured the great and splendid services of the noble lord, would now be dispelled, and that a day of justice and retribution would succeed a long

long night of darkness and ignorance.

Sir JAMES HALL observed, that the charge before the house was defective in one very important circumstance which seemed to have escaped observation. Lord Wellesley is charged with having greatly injured an individual, but this individual has never complained. Saadut Ali, the nabob of Oude, has sent no remonstrance to the British government, though that measure was suggested to him by a person who undertook to become his agent, and he rejected the proposal *in toto*. It may, indeed, be alleged, that this conduct was the result of fear, lord Wellesley being then in power, but soon afterwards the nabob came home, and the politics of India assuming a new face, the nabob could have been at no loss for friends to urge his suit and bring forward his remonstrance had he really thought himself injured. But the truth is, if we may trust the evidence delivered at the bar of this house, that Saadut Ali had no inclination to complain, nor any cause of complaint. It is true, that the territory over which he seemed to reign was greatly curtailed, its extent being reduced, in fact, to one half, and that much against his inclination at the moment, but the circumstances of the transaction were such as to add greatly to his comfort; for being relieved from the burden of a heavy tribute, and from the expense of maintaining a great army, his net annual income was left as great as before, being to the amount of 1200,000 sterling yearly, free from all charges, and perfectly at his own disposal. His political consequence may seem to have been impaired, but he had, in reality, nothing po-

litical to lose. So far, therefore, from having incurred blame by his conduct in Oude, lord Wellesley appeared to have a double claim to the thanks of his country, by achieving the most arduous public services, and by, at the same time, healing those wounds which great political changes and revolutions, however beneficial to the public, seldom fail to inflict on individuals.

LORD CASTLEREAGH thought the question now before the house of such importance, as to interest the feelings of every member. The chief object of the resolutions moved by a noble lord was to impeach a distinguished character not in that house. The noble marquis who was the object of these resolutions, had received great honours, both from his majesty, from his country, and from the court of directors, for the very same conduct which it was now wished to make the ground of parliamentary censure. The noble marquis was charged with crimes of no common magnitude, he was charged with tyranny, breach of treaty, and contributing to throw a stigma of reproach upon the British character. These were charges which he believed were entirely unfounded in truth, and incapable of proof. He considered the noble marquis had a right now to expect the decision of the house. The business had already been three years under discussion. He did not mean, however, to say that any unnecessary delay had taken place. The papers connected with the business were so voluminous, they required a considerable length of time to be got in readiness, and the house could not be called upon to the evidence, till they had had time to canvass and examine it. Gentlemen on the other side of the house

house seemed to mistake the real situation of the prince of Oude. They considered him as completely independent of this country. But, this was not the fact. He was a protected prince, living under the protection of Great Britain. By the treaty concluded by Sir John Shore, Great Britain had a right to interfere with the internal concerns of Oude, and in all the proceedings of marquis Wellesley, there was nothing contrary to existing stipulations, which had been said, respecting increasing the subsidy paid to this country: but he found nothing in this particularly applicable to the noble marquis. Since the year 1773, to the year 1798, alterations had been made seven times in the amount of subsidy paid by the nabob of Oude. In the year 1773, he paid yearly the sum of 300,000*l.* and in the year 1798, he paid the increased yearly sum of 900,000*l.* But gentlemen would observe, that the expence incurred by the company in defence of the province, had also of late years greatly increased. He considered the defence of Oude, and of our East India possessions, as one and the same thing. When marquis Wellesley arrived in India, he wrote the court of directors the plan of the conduct he meant to follow. This letter lay upon their table, and if the court had disapproved of his intentions, it would have been but justice both to themselves and to the noble marquis, immediately to have sent him notice. The miseries which have existed in our East India settlements, he considered to have sprung in a great measure from pecuniary subsidies, of which he completely disapproved. Territorial subsidies he considered much less oppressive in their effect. The

company had, at the present time 69,000 men for the defence of Bengal, and 40,000 in the Doab, or on the banks of the Ganges, for the defence of Oude. Objections had been stated to our introducing troops into Oude, as if contrary to treaty, however, the papers before the house shewed that it was not so. He maintained that the nabob of Oude was in a better situation now than before the late arrangements. His dominion was fixed, and the subsidy payable to the company was not liable to be increased by contingencies. He concluded by saying, he thought some of the resolutions moved for by the noble lord so much like to truth, and some of so frivolous a nature, he should wish to get rid of them, not by a negative, but by moving the previous question. The last resolution, however, he considered extremely objectionable, and would give it his negative.

MR ROBERT THORNTON said, he could not, in all points in this question, join speakers on either side. He would endeavour to express his private sentiments upon the question, in as few words as possible. When the noble marquis went to India, as governor-general, the yearly revenue amounted to 7,000,000*l.* when he left it, the revenue amounted to 15,000,000*l.* This was doubling the revenue certainly, but it was necessary also to look to the increase of debt during the time of his governorship. When he went to India, the debt owing by the company amounted to 10,000,000*l.* when he left it the debt amounted to 30,000,000*l.* This was, he must say, a vast increase of debt in a few years. As to cession of territory, in the form of subsidy, this he thought justifiable, or otherwise, according to the manner

manner in which the cession was made. But he thought cession of territory most unjustifiable, if contrary to the sacredness of treaty. The noble marquis could not, he was sorry to say, be complimented on his having followed the example of our most gracious sovereign, in imitating him in noble generosity and moderation towards weaker powers, and, however he might approve of the war with Tippoo, he could not but condemn the conduct of the noble marquis in violating the treaty of Oude. It had been asserted, that the vizier was frequently drunk, and was incapable of taking any proper management, but he would assert that the noble marquis also had been drunk with ambition, and ought to be checked, however much he might admire the extraordinary talents of the marquis on many occasions, in which he deserved commendation.

On a cry of question, Mr Bidolph moved the adjournment of the debate till Friday. Several observations were then made by different members, and Mr Whitbread remarked, that he was sorry to see the temper of the House so inimical to listening to his hon friend who had just sat down, as he would have thrown great light on the transactions of India, but he was determined to oppose the adjournment. The Speaker then put the motion, on the division, there were 37 for, and 196 against the motion. On entering the house, we found Mr Sheridan on his legs, stating, that he understood, that instead of the original debate, a very extraordinary motion of thanks was to be proposed by an hon. friend to the marquis Wellesley. The whole he had heard in defence of the noble marquis, did not appear to

him to justify such a measure; and more particularly so at this period of the night, as it would occasion the whole grounds of the debate to be again gone over.

Lord MILTON said, the house ought to be cautious how it gave its censure or thanks, it was to be remarked, that it was considered to be the policy of our government, and also that of the East India Company to look to commerce, and not to the acquisition of territory, on this ground he would give his vote.

Mr WHITBREAD said, he was astonished at the conduct of the friends of lord Wellesley, who had rested their defence upon the policy of the noble marquis, and not upon the treaty. The injustice was too strong to forego examination. For what was the case? Lord Cornwallis had left our possessions in India in a flourishing state. The noble marquis had, by his conduct, destroyed what lord Cornwallis had effected, and had left the country in the greatest distress, so much so, that had some battalion not arrived at the same time with his lordship, when he went again to resume the command, there would have been no funds for the exigencies of the state, nor money to pay the troops. He contended that we had violated the treaty of Oude, as by that treaty we had acknowledged the independence of that country, and could not, without injustice, seize upon the territory. He would go the full length of the resolution, and the motion upon it.

Earl TEMPLE defended marquis Wellesley from the unfounded calumnies circulated against him. He compared his administration with that of marquis Cornwallis and lord T.ignmouth, in order to show that they all interfered alike,

and

and considered Oude as dependent upon the company. He would not only vote for the Resolution, but for the motion of Sir J. Anstruther.

Mr. MORRIS acknowledged that the treaty was not a *bona fide* one, but he said it was owing to the failure of the nabob to pay his debts, he could therefore vote against the Resolutions.

LORD FOLKESTONE denied that even the nabob failed in his payment, and replied to the arguments on that side a considerable length.

The house then divided,

For the Resolution - - - 31

Against it - - - - - 182

Majority - - - - - 151

SIR JOHN ANSTRUTHER then moved, "That it appears to this house that the marquis Wellesley, in carrying into execution the late arrangements in Oude, was actuated by an ardent zeal for the public service, and by the desire of providing more effectually for the prosperity, the defence, and the safety of the British territories in India."

On this motion the house divided,

For the resolution - - - 180

Against it - - - - - 29

Majority - - - - - 151

Thursday, March 31.

NABOB OF OUDE.

LORD ARCHIBALD HAMILTON made his promised motion, for compensation to be made to the Nabob of Oude for the losses he had sustained by the seizure of one-half of his territories, and the very embarrassed state of his finances, occasioned by the measure of marquis Wellesley's government in India. The noble lord spoke at considerable length, but in so low a voice that it could not be heard distinctly from the gallery, but, as

far as we could collect, it was to the following effect. He observed, that the papers laid before the house, and the recent debates upon the Oude question, showed him from the necessity of trespassing again upon their patience by farther details, the house had, indeed, come to a resolution upon this subject—final, he would admit, as far as concerned the conduct of the marquis Wellesley. To this resolution, as it was the sense of a majority of that house, he was bound to defer, though he could not give his private assent to it. That resolution went to vindicate the conduct of the noble marquis, upon the ground that he was actuated by an ardent zeal for the public service, and for the interests of his country. But no man had ventured or could attempt to deny, that the Nabob of Oude had been treated with a degree of tyranny, oppression, cruelty, and injustice almost without parallel, and which no conduct on his part deserved, and that he had been forcibly deprived of one half of his territory, without even the semblance of justice. In violation of all principle, he was forced to sign a treaty, in 1801, totally different from that in 1798, and was plundered of his property, in defiance of every principle of national justice. It was, therefore, but an act of common equity, that the British parliament should make some recompense to that prince. The directors of the East India company themselves having perused the documents respecting this affair, were so impressed with a sense of the sufferings and oppressions heaped upon this unfortunate prince, that they had come to a resolution, that compensation ought to be made to him, but the proposition was defeated by the board of control,

control, under the influence of the noble lord opposite (lord Castle-reegh) who acted on that occasion in violation of the principles of justice, and the honour and character of the British government. When two authorities in the same branch of government, like the court of directors and the board of control, were at variance upon a point so highly interesting to the character of the British government, he thought that house was the proper tribunal to decide the question. The noble lord considered this transaction as paralleled only by the late outrage on Copenhagen. He read a variety of extracts from the Oude papers, comprehending the several treaties from 1793 to 1801, and also letters from lord Wellesley to the resident at Lucknow for the time being, and the answers of such resident, from those he argued at length, on the impolicy, injustice, cruelty, and oppression, practised against the nabob, contrary to the faith of treaties, which had been approved by the East India Company, and for which he thought the nabob entitled to compensation. The noble lord concluded by moving the following resolutions: "1. That it appears to this house that, by the treaty concluded in 1798 b. lord Teignmouth (then sir John Shore) between Saadut Ali, nabob of Oude, and the English East India Company, the annual subsidy of £60 lacks, 77,628 rupees then payable by the said nabob to the said East India Company, was increased to the annual sum of 70 lacks, to be paid by monthly lists or instalments: that the nabob, by the said treaty of 1798, agree to exert his utmost endeavours to discharge the stipulated lists with punctuality, but it, contrary to the sincere inten-

tions of the said nabob, the payment of the kists should fall into arrears, the said nabob Saadut Ali engages and promises that he will then give such security to the company for the discharge of the existing arrears, and the future regular payment of the kists, as shall be deemed satisfactory, that by the said treaty it was also agreed, that all transactions between the two states, 'shall be carried on with the greatest cordiality and harmony on both sides,' and the said nabob 'shall possess full authority over his household affairs, hereditary dominions, his troops, and his subjects' 2. That the court of directors of the said East India company did approve of the said treaty of 1798, and in May, 1799, declared it to be 'an arrangement redounding highly to the honour of lord Teignmouth, who negotiated it, likely to operate to the reciprocal advantage of the company and the nabob vizier:' and that 'the affairs of Oude were thus settled in a manner which bids fair to be permanent' 3. That by a treaty concluded in 1801, by the marquis Wellesley, then governor general of India, the said Saadut Ali cedes to the East India company, in perpetual sovereignty, a portion of his territory, amounting in the gross yearly revenue (as is stated in the said treaty) to one crore and 35 lacks of rupees, in lieu of the stipulated subsidy, and agrees to admit the troops of the said company to be stationed in such parts of his remaining territory as shall appear to their government most expedient, and always to advise with, and act in conformity to, the counsel of the officers of the said company 4. That the annual revenues of the said ceded provinces were estimated by Mr. Henry Wellesley (the

lieut.

lient governor) in the year immediately succeeding the said treaty of 1801, at upwards of 1 crore and 50 lacks of rupees, that a settlement thereof was made for the three years next ensuing, at the annual revenue of one crore and seventy-three lacks for the first, one crore and 80 lacks for the second, and one crore and 88 lacks for the third (independent of the profit derivable from a monopoly of salt estimated at eleven lacks), and that the said Mr. Henry Wellesley, lieutenant governor, stated, that 'he had no doubt that the settlement of the land revenue for the second period of three years, would not be less than two crores of rupees, and that the land revenue of the provinces, when fully cultivated, would amount to two crores and fifty lacks of rupees,' which is nearly double the amount of subsidy payable by the nabob under the former treaty, of 1798. 5. That the said nabob Saadut Ali did positively and repeatedly reject and resist the said cession treaty of 1801, during a negotiation protracted for many months, and that it was not till a declaration was made to him, in the most explicit terms, that in case of his refusal it was the resolution of the British government to assume the entire civil and military government of the province of Oude, that his assent was obtained. 6 That the British government in India are bound in honour, in justice, and policy, to reconsider and revise the above-mentioned treaty of 1801, in order to ascertain whether it will not admit of such modification as may ultimately prove more satisfactory to the nabob of Oude, and at the same time be productive of reciprocal advantage to his highness and the company.

MR. R. DUNDAS said, that he was surprised that the house should now be called upon to discuss the same question which had been already decided on, by a resolution, in which the last resolution of the noble lord was not only negatived, but on which the house pronounced an opinion, approving of lord Wellesley's administration. He should, therefore, do little more than refer the noble lord to that decision, convinced, that were he now to go over again the arguments formerly adduced, he should be trespassing unnecessarily upon the time and patience of the house. Were the House of Commons now to agree to the noble lord's resolutions, they would contradict their own decision. The noble lord did not shew, in any part of his speech, how this inconsistency could be avoided. The noble lord had not stated to the house how he intended that the nabob should be indemnified. If he meant that the territory which had been taken from him should be restored, he would find it very difficult to transfer the people of India from the government of the East India company to that of their old masters. This could not be done, he was sure, without exciting much discontent, and, perhaps, not without considerable resistance on their part. If the noble lord meant that the compensation should be made in the form of subsidy, he ought to have stated the mode of doing it, and to have shewn himself prepared to solve all the difficulties which must present themselves to every one as to the manner of giving effect to his resolution. The noble lord had not gone into any detail to prove that the nabob had been called upon to contribute more than he was bound to do by the treaty

treaty of 1798, but, he was ready to contend, that the nabob had not been obliged to contribute more than under that treaty he would have been bound to do, when the number of troops employed upon his frontier was taken into consideration. Upon these grounds, therefore, he should feel it his duty to move the previous question upon all the resolutions but the last, which called for a revision of a treaty that had the sanction of the Commissioners for the Affairs of India, and this he was prepared to meet with a direct negative.

Mr H MARTIN took a view of the state of the parties in 1801, and of the circumstances which led to the treaty. He contended, that there was not the smallest ground at that time for the interference of the governor-general in the affairs of the nabob, who had religiously observed all the stipulations of the treaty concluded in 1798, by sir John Shore. He expected, at least, that some necessity for the violation of this treaty would have been attempted to be established, but no such attempt had been made, and it appeared to be intimated merely to give effect to a system of aggrandizement which lord Wellesley had adopted, and was determined at all events to pursue. The kists were not even in arrear, and the company had derived all the advantage from the treaty of 1798 that ever was expected from it. It was said, indeed, that by this treaty the nabob would have contributed as much as he did at present. But, in answer to this he stated, that the company were obliged to keep up a force of not less than 11, and not more than 13,000 troops for 75 lacks of rupees, to be paid by the nabob; and till the subsidy was refused to be paid, which it never

was, we certainly had no right whatever to seize upon his territory. We were called upon to consult the feelings of the natives of India, but we ought also to consider what must have been their feelings on seeing a solemn treaty so unnecessarily and wantonly violated. And when it was stated, that the country was in such a state of disorder, that all sorts of crimes were committed with impunity, it ought also to be shewn, that the security of the British government in India was endangered by these disorders. He concluded by declaring his intention to support the resolutions of his noble friend.

Mr R THORNTON lamented to see so thin an attendance upon a discussion so interesting to the national character. He thought the house on a former night had behaved worse even than lord Wellesley himself, in the manner in which they had got rid of the charges brought against him. He was not fond of renewed debates upon the same question, but he thought there were better grounds for renewing the debate on the present question, than on many others, though he did not flatter himself that the result would be different from what it had been. The treaty which was now under discussion, he declared, did not deserve that name, for to a treaty the assent of two parties was requisite, and the nabob certainly never had voluntarily given his assent to that of 1801. It was alleged, that it would be difficult to rescind the treaty, but nothing should ever be considered as difficult which was right, and if we had any regard to justice or national character, certainly some compensation ought to be granted to the nabob for the wrong he had sustained, however difficult it might be to find out the proper

proper mode of compensation. The treaty was said to have originated in friendship, but if it began in friendship it ended in cruelty and injustice. The noble marquis seemed to have carried a sample of French fraternization to India. The treaty was really a sort of Gallican hug, in which the noble marquis had squeezed the nabob to death. One might as well call a robbery committed by a footpad on a traveller on Hounslow-Heath, a treaty! If the tyrant who had desolated Europe should ever reach our East India possessions, and find the hearts of the people alienated from us, and our name connected with injustice and oppression, he called upon the house to reflect what an advantage he would have over us. When Trajan put a sword into the hands of the prefect of the Pietorian Bands, he made use of these words, 'as long as I govern well, use it in my support, if I govern ill, use it against me.' So it was with the people of India, if we governed them with justice and moderation, we may expect their support, but if we oppress and tyrannize over them we must expect revolt and resistance. The hon gentleman denied that the treaty had ever been approved of by the court of directors, for it was one of their grounds of complaint, that the treaty had never been submitted to the court. All that he individually ever did was to put his name to a letter, in which pleasure was expressed that the treaty had given satisfaction, but at that time he was quite ignorant of the circumstances under which it was concluded.

Mr HOWORTH.—Sir, I am not accustomed to address this house, or to speak in public, and therefore I should do it with great embarrassment at any time, but particu-

larly now, when many gentlemen are calling for the question, and seem to wish to put an end to the debate. I shall, therefore, contract the little I intended to say on this occasion, and yield as soon and as much as I can, to the impatience of the house. Even that little is exposed to so many discouragements, that I should probably have confined myself to voting on the question, if my long residence in India had not furnished me with information, which I hope will be thought to deserve some attention.

—I am not surprised that the hon. President of the Board of Control should have shewn a vigorous disinclination to any further discussion of the subject. I have no doubt that, if the whole of the transactions in Oude were to be buried in oblivion, it would afford peculiar satisfaction to the friends of the noble marquis. Sir, we must look to the exhausted state of the treasury in Calcutta for the secret spring and first movement of his lordship in Oude. Beggary begot necessity, and necessity created the measure of quartering a great part of the Bengal army on the country, or providing for it at the expense of the nabob. Want of money, and no other, was the true cause of this and every other injustice done to the nabob. All manner of pretences have been set up in defence of these measures, except the true one. Distress drove you into these courses, and who was the author of the distress? Who, but the noble marquis himself? Extravagance produces violence, and then you defend the violence by the extravagance. When political necessity was pleaded, I did expect that reasons of an over-ruling nature, some imminent danger, some instant cause of apprehension, admitting

mitting of no debate, would have been stated to palliate at least, if not to justify the atrocious cruelty, the injustice, and the indignities more galling than injustice, with which the nabob of Oude, as well as many other Indian princes, have been treated. Instead of such a case made out, or even alleged, what has the President of the Board of Controul advanced? Why, first he glanced at the supposition of an invasion of Oude by Zemaun Shah, and, in glancing at it only, I confess he has shewn his discretion. Why, sir, at the very period allotted to this pretended invasion, Zemaun Shah was in his grave. Lord Wellesley in his letter of Jan. 1, 1802, says to the directors, 'the danger of invasion from Candahar is entirely removed by the destruction of the power of Zemaun Shah, and by the actual state of his dominions; while our north-western frontier has been considerably strengthened by the recent arrangements effected in Oude.' The arrangements alluded to consisted of nothing but the exaction of money and territory from the nabob, contrary to the most solemn treaties, and in violation not only of every principle of good faith but of common humanity, and for what purpose? To provide against a danger which was entirely removed, if ever it existed. But the hon. president says, 'the French were in Alexandria,' and this was another necessity for taxing the nabob of Oude. My conviction is, that, if they had remained in undisturbed possession of Alexandria to the present day, they could not have invaded India from that quarter, nor did they ever intend it. They had no fleet or transports in the Red Sea, nor had they the means

or materials for building ships there, or to find provisions or even fresh water at Suez, equal to so great an embarkation, and so long a voyage, of which the navigation for a fleet from Suez to the Indian sea is perhaps the most difficult and dangerous in the world. And even then, unless the French could obtain a naval superiority in the Indian seas, how could they possibly get to India from Egypt? The hon. president seems averse to further discussion on the profest principle of lord Wellesley's conduct. Perhaps he will have no objection to answer a few questions upon the effect of it. What has been gained by these acts of injustice and oppression? Look at the result of all these frauds and cruelties, which are called policy, see into what a situation they have brought you at last. Have you extended your dominions? Yes, in violation of the resolutions of this house, confirmed and made law by two acts of parliament. You have a frontier, which you cannot defend, and you have alienated the affections of the native powers, who wait only for an opportunity to make you feel then hated, and I am afraid that issue will be tried at no very distant period. In the mean time, what profit have you derived from this boasted increase of your dominions? Your establishments have grown much faster than even your territory, with all your immense acquisitions, with all your subsidiary treaties, with the Mysore, the Deccan, the Carnatic, and Oude, with four kingdoms added to your possessions, your annual expenses exceed your revenues by two millions and a half. Not a rupee in your treasury at Calcutta, at Fort St. George, or Bombay, in general circulation, nothing but paper,

pape, and that, sir, have all those extortions, which are termed policy, ended in your own beggary. I state the general effect of the policy I allude to, as embracing all India. The treatment of the nabob of Oude is a sample of that policy, and a striking example of its effect.—But perhaps it may be said, that this commercial sovereign, the India company, though not very wise or fortunate in the exercise of their sovereignty, have been prudent and successful in their character of merchants? In an evil hour for themselves, they departed from the only occupation it was possible for them to understand. Look at their situation in Leaden hall Street. There you see them overwhelmed with debts, and in arrears to government even for the duties on their teas, the only article they can sell, loaded with enormous establishments, which it is impossible for them to defray otherwise than by running more and more into debt, and with a multitude of other demands upon them, active and growing every day, and against which they have nothing to set up but an accumulation of dead or dormant property, locked up and rotting in their warehouses for want of a sale, which does not however prevent their constantly taking up more and more ships at an intolerable expense of freight and charges, to bring home more cargoes of the same quality, and to take away all chance or even the possibility of selling what they have already in England. Add to all this, that every shilling of their capital is gone. And will this house never ask, by whose fraud or misconduct, by whose treachery or whose folly, all this mass of mischief has accumulated? Have we been taken by surprise? Have the India com-

pany till very lately been quite unaware of their situation? Has no warning voice been heard in this house? Have no powerful appeals been made to the public in writing on this subject? Yes, Sir, some of the worthy directors have now and then gently hinted at the mismanagement of their governments, and at the misconduct of their servants in India, over whom they had no control. But these intimations were rare and feeble, in comparison with the information given us by an hon friend of mine (Sir Philip Francis) who is no longer a member of this house. From year to year, as the mischiefs increased, his speeches kept pace with them. From year to year, I might almost say from day to day, his talents and his industry were employed in exposing the fatal folly of that destructive system, which has been adopted by your government in India, and encouraged and protected in England, and the ruinous consequences which would result from it. His performance of this invidious duty was not confined to his speeches here. His writings, addressed to the public, predicted every thing that has happened, writings, sir, as remarkable for the clearness, the purity, and precision of their style, as they are for the comprehensive knowledge they contain of the subjects on which they treated; and I believe, Sir, it would be as difficult to find a person, who has displayed in your Indian affairs more ability, more perseverance, and more integrity, as it would be to find another instance of a man, who has deserved more of his country, and whose merits have been so ill rewarded, as those of the hon. gent. I allude to.—Now, Sir, on a full consideration of the injustice

injustice which he marked the conduct of the noble lord, the baronet was much the more has been treated, and the cruel circulations of gallantry and sedition with which it has been compromised, and above all, but on the effect which it has produced in the minds of the native powers in India, I feel entirely disposed to agree with the noble lord who has brought forward this motion for every reparation or restitution which the circumstance of the case will admit of.—The security of the British dominion in India depends greatly on opinion, and therefore I shall be ready to support this and every other measure, that may tend to remove the national character in the eyes of the natives.

The question was then loudly called for, and a division took place. For the first resolution 20, for the previous question 80, majority 60.—Strangers were not readmitted before the adjournment. The previous question was carried upon all the other resolutions but the last, which was negatived without a division.

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Friday, March 11.

NOMINATION OF A SELECT COMMITTEE

EAST INDIA AFFAIRS.

Mr DUNDAS, pursuant to notice, rose to move for the appointment of a select committee to inquire into the present state of the affairs of the East India company, and in doing this it would not be necessary for him to trespass much upon the time of the House. It would be recollected, that towards the close of the last session the House had come to a resolution that at an early period of the present session it would take into its consideration the various Indian accounts, which had been laid up-

on the table. It would also be recollected, that an expectation was entertained, that the affairs of the East India company would be in such a state as to enable them to meet the commercial deficit in the present instance. The House would likewise recollect, that there was a considerable deficit in the territorial revenue in India, by which it fell short of the charges and expenditure to be defrayed out of the same. These several considerations would prove to the House the expediency of the measure he meant to propose. He had, however, to state, that the same causes which produced the deficit last year, would not operate to any considerable extent in the present year. It appeared to him, therefore, the most proper course to move for the appointment of a committee, to inquire into the causes of the deficit, and the circumstances which led to it, and also to investigate the nature and extent of that deficit, for the purpose of stating their opinion thereon to the House, and what measures they might recommend to prevent the recurrence of such a circumstance in future. He had hoped that, previous to this motion, he should have received the accounts which were to have been drawn up on the arrival of the noble lord (Minto) who had gone out as governor general last year. But in this expectation he had been disappointed, no advices having been received by which these accounts could be conveyed. There was reason, however, to expect the arrival of these advices in an early period, and, at all events, the accounts upon the table since last year and other documents that would be produced, would enable the committee to inquire into the causes

causes and extent of the deficit, and to report upon the means of meeting that deficit, and of reducing the India debt as low as it may be possible to bring it (*hear! hear!*) He was persuaded that the subjects could not be gone into, as much in detail as would be necessary for a thorough investigation of the question, in any other mode as in a committee. In the year 1805, a committee had been appointed to investigate the joint accounts of the company and public, and certain rules were then adopted for this purpose, but the matter had not been brought as satisfactorily to a close as could have been desired, or might have been effected by a committee inquiring generally into the affairs of the company. The act of 1793 established certain rules for the payment of the king's forces in India, but from the complicated nature of these rules, it had been found impossible to bring the account to any settlement, and certainly the regulations were such as to render an annual account scarcely practicable. He should hope, therefore, that the committee which he proposed to move for, in directing their attention to this amongst the other branches of the question, would devise some means of adjusting the mode of payment which would render an annual settlement of the account practicable. He had worded his motion in such a manner as to leave the committee at liberty to use their discretion in extending their investigation to every part of the subject, so that the public might have the satisfaction of contemplating in that report, a full statement of the affairs of the company. As he was not aware of any objection that could be made to his motion, he did not think it necessary to

take up more of the time of the house and should therefore move, "That a select committee be appointed to inquire into the present state of the affairs of the East India company, and to report their observations thereon to the House."

On the question being put,

Mr CREEVEY did not mean to give any opposition to the motion, on the contrary, it should have his most sincere support, and he was happy, that at length the practice of holding out a flattering prospect in stating the affairs of the company had been departed from, a system, the whole of which had been founded in delusion. But he had not learned, from what had fallen from the right hon gentleman, that the present inquiry was to be similar to that which had taken place in the year 1792, and he was therefore desirous of being informed, whether it was the intention that the circumstances of the territorial revenue were to form any part of the inquiry.

Mr DUNDAS wished to be distinctly understood, as meaning that every part of the territorial revenue and political relations of the East India company, was to be the subject of investigation by the committee. But he should hope, and he wished that too to be clearly understood, that the committee would not think it necessary or expedient to inquire how far the affairs of the company might have been heretofore well or ill administered.

The motion was then put and agreed to, and the following gentlemen appointed as the select committee, consisting of twenty-one Members

Lord Viscount Castlereagh; Chancellor of the Exchequer, Mr Grenville, Mr Wilberforce, Mr Wallace; Mr Johnstone, Mr Creevey;
Mr.

Mr Grant; Mr. Milnes; Mr Pattison, Mr. N Vansittart Mr Tierney; Sir John Anstruther; Sir Robert Pelele, Mr. Fitzhugh Mr. S. Bourne, Sir Arthur Wellesley; Lord Morpeth, Mr Hobhouse, Mr Vandenhayden

Tuesday, April 26.

Mr GRANT presented a petition from the East India company, stating the various expenses the company had been obliged to incur from the various wars that took place in India, and the losses they sustained in direct consequence of the stoppage of markets in Europe, and praying that the 1,200,000*l.* due to the company by government, might be paid them, and that a further sum might be advanced by way of loan, making in all 2,400,000*l.* The petition was received, and read by the clerk.

Mr. GRANT then said, that as the affairs of the company were already under the consideration of a Committee of that House, which was then employed in investigating them, he would move that the petition be referred to the said Committee

Mr. TAYLOR said, this was a subject on which it was fit that the House should make the most minute enquiry. For upwards of twenty years, the affairs of the India company were said to be in a most flourishing state, and where now was the result of all this mighty boasting? As this was a subject of great importance, being no less than a demand made upon that House for money, he thought it ought not to be referred to a committee, whose business only was to make an enquiry into the affairs of the company. That the pe-

tion should be submitted to a distinct committee and notice should previously be given of the motion for so referring it. He would not now enter into any discussion on the question itself, but when an endeavour was made to seduce the House into a belief that relief ought to be granted to the East India company, no step should be taken on the subject in so thin a House. Not one-third of the House was yet acquainted with the business. By sending the petition immediately to that committee up stairs, the House would sanction the idea, that the prayer of it ought to be granted. For his own part, he never would suffer one shilling of the money of his constituents to be given to this company. He would now re-state what he had often asserted before, that the company was a monopoly which ought not to be permitted to exist any longer than until the expiration of their charter. This monopoly was a complete drawback on every advantage and to be enjoyed from our dominion in India. The Americans had already taken away half the trade to that country which ought to be open to all the subjects of great Britain. And he now thought it was a duty incumbent on his Majesty's ministers, to give notice within the time prescribed by the act of Parliament, that the charter of the company should not be renewed, and in the mean time he wished the attention of Parliament might be turned to the whole of the affairs of India.

Mr CREEVEY thought the House was under obligations to his honourable friend, for the manner in which he brought this subject forward. Being a member of the committee

committee for enquiring into the affairs of the India company, he had an opportunity of seeing documents which enabled him to form an opinion, that the company would never be able to pay the loan they were now calling on Parliament to grant. There was a deficit in the present year's account, of no less than three millions; and what reason was there to suppose that the company would not come next year and call for another loan? If the money they called for now was granted, it must be considered as a gift, and not as a loan. It therefore was necessary immediately to consider whether the monopoly ought to be renewed. The company was now carrying on a trade without any surplus revenue, by borrowing money at a high interest. Their trade was daily decreasing, and since the Americans had become their rivals in it, some means should be devised to stop this American trade, in order that it might be transferred to British subjects. With an annual loss in trade, the company were obliged to borrow money annually to pay the dividends to the holders of stock. Therefore, until the monopoly was entirely put an end to, there ought to be a limitation of stock, and a stop put to the payment of dividends unless the same could be paid out of the profits.

Sir JOHN NEWPORT considered the sum now demanded as nothing less than a gift, and as Ireland must be obliged to contribute a part of it, he would now lay his claim on behalf of Ireland, to a revision of the act, by which Ireland gave up her right to any part of the trade to India, in order that she might receive remuneration for her losses, in consequence of this

monopoly. This was the opinion of all the commercial bodies in Ireland, who felt that if they contributed any thing towards relieving the India company, they ought to have a share in the trade.

Mr GRANT declared that he had no wish to take the House by surprise, or to pass any measure of importance in a thin House but he conceived that many of the observations just made, had a tendency to prejudice the company in the eyes of the public, and therefore he would make a short reply to them. With respect to the trade of the Americans to India, the public laboured under a great mistake. The situation of Europe was such as necessarily to check the extent of our Indian trade, and the neutral state of the Americans enabled them to derive advantages from that trade, which it was not in the power of the company to remedy or prevent. Whenever this case should come to be fully discussed before the House, sufficient evidence should be shown to remove every prejudice that might exist on the subject. None other could supply the continent of Europe with Indian produce, but the Americans, and it was not the fault of the company that they engrossed so great a share of the trade. With respect of the observations which fell from an honourable gentleman (Mr Creevey) he did not know how far it was regular for a member of the committee to give an opinion from documents which in that character he had access to, and thus prejudice the judgment of the House, before any report was made. The company had the guarantee of Parliament to expect that their present request would be granted. He denied that it was to be considered in the light of

of a gift, and he hoped the House would be of opinion, that the petition ought to be referred to the committee upstairs, as the best qualified to consider the nature of it.

Mr. PEARSON said, it was most clear, that the loan now asked for, if granted, could be considered in no other light than a gift. It was a loan to be levied on the community to enable the Indian company to fulfil their engagements; for if they were refused the aid, they must evidently could not pay their dividends. He would not now give any opinion on this subject, nor would he refuse his assent to its being referred to a committee. But whatever step might hereafter be taken, they ought to be accompanied with such a diffusion of knowledge as should do away all the delusions the public had hitherto laboured under on this subject, and which it was high time to put an end to. The House ought to know how far it could be justified, in voting to the company a sum of 2,400,000*l* without knowing whether the company were going on as a solvent company or not.

The CHANCELLOR of the EXCHEQUER observed, that the House could give no opinion respecting this petition, until a report was regularly made upon it. He contended that there was no necessity for any previous notice to refer a petition to a Committee, because all that was required of the House to do, was, merely that which must be done before any opinion could be formed, namely, to put the petition into a state of enquiry, and as a Committee was already sitting on the affairs of India, nothing could be done more conducive to the object in view than to refer the

petition to that committee. The honourable gentleman opposite (Mr. Ponsonby) had said he was not prepared to give any opinion on the subject, and yet he had asserted that this money, if granted to the company, must be a gift, and not a loan. There were in the petition statements which went to show that the House ought, in the present case, to grant the relief required. The company stated themselves to be creditors of the public, and it was not denied by any one acquainted with these affairs, that hundreds or thousands were really due to them. If the company were to be distressed, the House ought to take care that no part of that distress was occasioned by withholding from them the payment of their just demands; whatever further was asked, might be a subject for future discussion. With respect to the proposed limitation of stock, he would ask, if relief was to be afforded, whether it would not be a curious thing to impose on the company such conditions as would make it useless instead of a benefit? He thus had thought it necessary to remove the prejudices which the house was likely to receive from the observations of gentlemen and as there was no difference of opinion, he trusted there would be no delay in carrying the motion into effect.

Mr. TAYLOR, in explanation, said, that what he had at first stated was, that there should be notice given of referring a petition upon a subject of such magnitude.

Mr. PEARSON added, that the right honourable gentleman had misunderstood him, if he thought he had expressed his opinion upon the subject in question, of the propriety or impropriety of granting relief. He had only said, that the relief

relief asked for appeared to be a gift, and not a loan. If the East India company had credit, they might borrow, like other companies, instead of coming to Parliament. The company, however, with all the assistance they had received, had never paid more than 500,000*l* to the public. He should be happy to hear they were able to pay their debts.

Mr. TIERNEY stated that the company had a right, by act of Parliament, to increase their capital to a sum equivalent to four millions, and last year Parliament authorised them to issue bonds to one half that amount. He considered this application as similar to that of last year. The company now had a right to demand a debt of 1,200,000*l* from the public, and after that was satisfied, they were well entitled to claim a loan of an equal amount. He thought it was dealing hardly with the company to make statements merely on the presenting a petition before any documents were laid before the House, and he therefore considered the observations of his friends as premature. No one knew what calamities might fall on the country from this great body being involved in distress. A strong disposition existed out of doors to get rid of the charter of the company, and though many might think this a proper occasion to introduce that favourite subject, he thought it would be time enough to do so hereafter, and when that day came he knew the opinion he should give. No one, however, could say, that this act was a forfeiture of the company's charter; and after they had abstained so long from pressing their just claims on the public, it seemed rather a hard return to raise a clamour against

them as persons suing Parliament for gifts. With respect to the speculations and promises of two noble lords, (Melville and Castlereagh) that the company would realize such magnificent schemes he had only to observe that it was the noble lords and not the company, that had made these promises; and therefore the company could not fairly be charged with a breach of faith. He could not consider this money as a gift, and if it could be shewn, that the state of the company required such assistance, he would join with those who thought it better to abolish the company altogether. This was a great commercial body, labouring under distress not brought upon them by vice or mismanagement, but by the state of the world, and they merely required that relief which government would give to any commercial men under similar difficulties, as had been done some years ago, with advantage to the public as well as the merchant. He concluded, by expressing his wish, that the affairs of the company might have a complete investigation.

Sir JOHN ANSTROUTHER observed, that the East India company had not come, as some gentlemen imagined, to ask the House for any indulgence but such as had been granted to other mercantile companies, and on former occasions to themselves. In 1773-4, 1803 and 5, they had applied for and obtained similar relief, which they had invariably returned to the public, and he could not see why they should now be refused assistance, when they shewed the same grounds for it, and had kept their faith so well on former occasions. He denied in strong terms that there had been any attempt on the part

part of the company to delude the public, or to keep from them a fair state of their affairs, and deprecated the ingrafting on this subject the question of the policy of throwing open the East India trade. He trusted, that when this came to be discussed hereafter, it would not be canvassed in a mere commercial point of view, but that the whole political bearings of the case would be taken into consideration, both as relating to the welfare of that country, and in his opinion, to the very existence of this. He would not, however ready he was to enter upon this investigation, trouble the House further on this occasion, more than to express his doubts as to the practicability of the export trade to India being carried on by individual exertion, whatever facility opening the intercourse of private traders might afford to the importation of East India goods.

Mr. HOWORTH insisted, that there had of late been a total suppression of the East India company's affairs, and the last Budget had only brought them up to 1803-4, since which time not a document on the subject had been produced. Neither was there any documents in support of the petition, and he considered it as only fair and reasonable, that before Parliament granted any aid, a complete state of the company's returns, sales, profits, and assets, should be laid before it.

Mr. DUNDIS replied, that it was not usual to produce documents in the support of the allegations contained in a petition, but that the only reason none were offered in this case was, that they could not be prepared for the petition to be presented within the limits of the time prescribed by the House. As

for the deficiency of the East India accounts, it was owing to no wish for concealment at home, but arose from their not having been received from India. However, they had been laid before the House as of en as the law required. He then noticed an allusion made by Mr. Tierney, to two noble lords, and said, he did not suppose their names could have been mentioned without paying the tribute due to them for their anxiety to procure a full investigation of the affairs of the company.

After an explanation from Mr. Tierney,

THE SPEAKER put the question, which was immediately agreed to by the House.

Thursday, June 2.

[AFFAIRS OF THE EAST INDIA COMPANY.] Mr. CREVEY rose, agreeably to notice, to move for certain papers to elucidate the real state of the affairs of the East India company. He said, he should shortly state his reasons for making the motions with which it was his intention to conclude. Last year a petition had been presented for leave to borrow two millions on bonds, and about a fortnight ago a petition was presented asking a loan of the public money to the extent of 1,200,000*l*. It was with the statement contained in that petition, of the ability of the company to pay this loan, that he now rose to find fault. It contained a manifest deception, whether meant by the company or not, it was not his intention to say. The house and the public, however, were entitled to be set right on this head. The petition stated, that there was a deficiency for the year of 2,400,000*l*; although in fact as appeared from a paper laid on the table of the house, the real deficiency was

3,000,000*l*.

3,000,000/ As an inducement to the country to grant this loan of 1,200,000/, the petition stated that the company would have a surplus, after paying all their debts, to the amount of 8,000,000/ Supposing this to be correct, it was only the home account which was alluded to, whereas the foreign also should have been taken into consideration; when, in fact, instead of a surplus, there would have been a deficit of 12,000,000/ When he said this, he said it as a member of the committee, and he spoke from a document laid before the committee. It was for the company to explain why, in these circumstances, and with such a deficiency, they laid before that house a statement which went to show a surplus of eight millions. The petition stated, that the Indian debt must fall upon the Indian territory. How far this was a doctrine which would be relished by the creditors of the company abroad, to the amount of 32 millions, it was not for him to say. He should move in two ways. 1st, for the document which the company had laid before the committee, and, 2dly, for the satisfaction of the Indian creditor and of the public, he should move for an account of the amount of all loans made by the company in India, and of the terms and conditions on which the same were made.—The petition also alleged the state of Europe, as one of the leading causes of the embarrassment in their affairs. To prove the fallacy of this, he should also move for a document to shew the nature of the Indian trade on the continent, from which it would be seen, that the Indian trade was becoming worse and worse year after year, long before any change in our relations on the continent had taken place. The hon. gent.

knew there was no probability of the committee making any report on this business, at the present advanced period of the session, and the company, by their own statement, had forced him to bring forward the present motions. If he should be told, that he was a member of the committee, that he should go to them and make them parties to the motion, his reason for not doing so was this, he made his charge against the directors. Was he to go to the committee and to appeal to them; or to the two directors who were members of the committee, and whose votes he must expect on such a subject to be against him? He said, that the formation of that committee was radically bad. The question was, were the company bankrupts? And these two directors were the persons who were to say so or not, and to advise the country whether or not it should make a loan to their own company! Without imputing any thing to these hon. gentlemen, he must be allowed to say, that they were not the persons who should have been appointed members of such a committee. He said, moreover, that the hon. gent. opposite (Mr Dundas) should not have been a member of the committee. His father had been the author of the system. He had committed himself year after year, as to prognostics and prophecies of its stability and greatness, and his son should not have been put on a committee which was to decide on the life or death of a company, to the death of which he could not naturally be expected to be a willing witness. He said the same of the person (lord Castlereagh) who succeeded the noble lord alluded to; and there were others on the committee, whom, without being under-

understood as saying any thing injurious against them, he could not forbear also referring to, as receiving pensions out of the East India company's funds. Could any principle, he asked, be more absurd, than that they should be persons named on as a committee on such a subject? He said, it was a great defect, that the honorable gentleman (Mr. Dundas) should have 7000*l*, another person near him not quite so much, and that a third, who had been a judge in India, should have a pension from the Indian revenue and yet be members of a committee to which such matters were referred. Without imputing any personal motives to any of these gentlemen, he must think them unfit to judge on such a business, and so he thought it better to apply to parliament. He concluded by moving, that there be laid before the house an Account of the East India stock by computation, on the 1st of March, 1808.

Mr. DUNDAS assured the House, that in suggesting this committee he had no other object in view but that of appointing those who, from their knowledge and experience, were versed in the subject referred to their consideration. He had no sinister motive, and was surprised, that if the honourable gentlemen had such strong objections to the persons appointed, he had not objected to them on their first nomination. Of this he was sure that no committee on India affairs could make any progress, unless they contained in their number persons from the court of directors. The honourable gentleman hid, in his mind, pursued a strange course—no information had ever been refused to him by the directors, who were anxious to give the fullest possible, and for that purpose had

thrown open the doors of the India House for investigation. He knew the papers moved for would be laid before the House in a few days, and yet he chose to take the business out of the hands of the committee appointed by the House, and press on what would of itself follow as a matter of course. He did not stand up for the company, but thought that the House should not grant a shilling till they were perfectly satisfied with the grounds on which they acted. Having said this much, he thought he had shewn that the motion was premature, if not altogether unnecessary, and he left it to the good sense of the House to judge of this, as well as of the insinuations thrown out by the honourable gentleman, that the committee were not to be trusted in the report they would give. He concluded by moving the previous question.

The SPEAKER put the question.

DR. LAWRENCE said that his hon. friend (Mr. Creevey) had made no objection to the committee, as far as regarded the purposes for which they were constituted, but only as improper judges of the petition now referred to them, which was a satisfactory answer to them not being objected to at their original formation. It was necessary to have a complete view of the case, that the House might be well advised in their grant of public money, and for this purpose the papers moved for were absolutely necessary. These papers might not perhaps be before them for a year to come, and they were not even sure that they would have them at all with the report of the committee. What at any rate could be the evil of having them a little sooner, that they might be the better prepared to meet

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meet the question? He thought, therefore, this demand so reasonable, that it could not be opposed, except from pique, and an unwillingness in ministers to allow any one to call for information but themselves. There was one topic which he could not sit down without noticing, which was, that it was impossible ever to object to any individual or body on legal grounds, without being subjected to the charge of personality. He maintained, that from the king to the peasant, he had a right to object to particular exercises of their functions, as he now did to this committee, not on personal grounds, but on general principles, that no party concerned was a fit judge. They had a direct interest, and were therefore objectionable. He would support the motion, which, whether successful or not, would, he believed, be the means of procuring these papers to be laid before them.

Mr DUNDAS asked, if the committee were not appointed to examine into the affairs of India?

Dr LAWRENCE answered, yes--- but not into the merits of this petition.

Sir JOHN ANSTRUTHER said, he would not presume to say whether he was or was not a fit person to be appointed to the committee of which the House had thought it proper he should be a member, but he begged to set the hon. mover right in one point which he had mistated. He could not be affected by the solvency or insolvency of the company, as his salary was granted and paid not from the company's funds, but from the public revenues of India. Whether he was deserving of his Majesty's favour was another question, to be determined by those who were

acquainted with the nature of his services in India. The learned gentleman who spoke last (Dr. Lawrence) had, by a curious argument, given the committee credit for being competent to judge of the whole affairs of the East India Company, then general solvency, their debts and credits, and yet, for the purpose of supporting this argument, he had denied their eligibility to judge whether the security offered for 1,200,000l. was good or bad. This was a subtlety he could not follow.—He did not think it was a regular mode for gentlemen, after a matter had been referred to a committee, to abstract it piece-meal, and bring it before the House, and the curious reason assigned for this, in the present case, was, that the committee could not be informed on the subject, which he expected to be, from the mutilated and garbled extracts now moved for. In the committee, he (Mr. C.) had not asked for a single paper but what had been granted to him, and the only instance in which there had been any dispute, his motion was carried, from the support given him by Mr. Dundas, the directors, and himself (Sir J. A.) It was strange, therefore, that he should come down to the House for the purpose of prejudicing the public against the committee, which could be the only purpose of this motion, as he knew well the papers must, from Act of Parliament, be laid before the House without it. But it was not for the papers it was made, but to injure the committee, in which he had turned and worked without opposition.

Lord FOLKESTONE supported the motion, and contended, that as the petition entered into argument, the papers to determine it ought to be

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produced.

produced ---He never heard of the claims of the company till their finances were dilapidated

Mr WM SMITH defended Mr Creevey from the charge of personality, and contended that with every personal qualification persons were often improper to judge of certain matters, from the particular bias or warp of their mind, which perhaps they were not sensible of. This was a fundamental principle of our law, else why the challenge of Juries, why the ballot for forty-nine instead of thirty-six in our election committee---all shadow of partiality ought to be done away, and for this reason, the most upright and virtuous man on earth might, with propriety, be objected to as the judge of a particular circumstance

Mr. WALLACE denied that Mr. Creevey's objection was of a legal motive. It was a substantial objection to the committee, as to persons liable to be unjust to the public, from motives of self interest. He appealed to the House, if this was not a general reflection on the committee

Mr. GRANT replied to the statements of Mr Creevey, and denied that the deficit was three millions, as was asserted by him. The hon gentleman was so ignorant of the East India affairs, that he would not even have known what papers to call for, had he not seen them openly produced by the company before that committee, of which he was a member. The production of these papers by the company, was a convincing proof of their readiness to furnish every information on the state of their affairs that might be required.--- He objected, however, to the production of the papers now moved for, because they were already before the

committee on East India affairs, and would of course soon be before the House. It was his anxious wish that every thing relating to the East India Company's affairs, should be probed to the very bottom, and then he was confident the prejudices that had gone abroad on the subject, would be done away.

Mr PATTERSON observed, that as he had no hope of gaining any thing from the East India company, he must be considered as more competent than many others to give an opinion on their affairs. He would then say that there appeared to him to be a disposition on the part of the company to give every possible information on the state of their finances, and he hoped the same disposition would be continued. He had seen in a *Morning Paper* of yesterday, a long article on the subject of India affairs, in which would be found the greatest part of the speech made this evening by the honourable gentleman who brought forward the present motion (*a loud laugh*)

Mr. CREEVEY in reply, observed, that what might have appeared in any newspaper had nothing to do with the present question. He had seen in *Cobbet's Register* a speech purporting to be delivered in that House, by the Hon. Director (Mr Grant) and published in that sort of form, that it was not very likely to have found its way into a paper unless it had been sent by the hon director himself. But this hon director, this oracle of the East India House, thought proper to lament over his (Mr Creevey's) ignorance of East India affairs. He hoped the hon. director would not do so on any future occasion, after having now shown how defective he himself was, in point of information, rela-

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tive to the deficit of the company. He would maintain, that taking the home and foreign accounts of the company, the deficit on both amounted to 12,000,000*l.* and it was the grossest delusion to hold out to the public, any prospect of this money being ever repaid,--- all he wanted now was, to give the public that information which the company gave him in the committee, of which he was a member, because there was no prospect of these documents being speedily brought before the House in a regular shape. It was important for the public to know, that the trade of the company was declining. It appeared even by the account of the directors themselves, that on the trade which they carried on to the exclusion of all other British subjects, there was an actual loss of 264,000*l.* during the last year. The account of this fact, therefore, was a most important document, which the public ought to be in possession of, and ought to be produced before the House.

Mr. DUNDAS assured the hon. gentleman, that this, and other accounts, should be produced as soon as possible.

Mr. GANT, in explanation, said, the East India company had stated the amount of all their debts to be 8,000,000*l.* and their tangible property 20,000,000*l.* He had not said, as was stated by the hon. gentleman, that there was a loss, but a deficit of 2,400,000*l.* With respect to the observation that British subjects were excluded from this trade, he must say, that if it was thrown open, it would be impossible in the present state of Europe to carry it on with advantage to the country.

Mr. CREEVEY said, that in consequence of the assurances that

these documents would, as soon as convenient, be laid before the House, he should withdraw his motions, and they were withdrawn accordingly.

Thursday, June 2

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AFFAIRS OF THE EAST INDIA COMPANY.

Mr. CREEVEY rose, pursuant to notice, to move for a document which was before the committee appointed to consider the state of the India company, of which he was a member. It was a paper laid before the committee by the India company, which disclosed the distressed state of their affairs at home and abroad. They stated that they should have occasion to apply again to Parliament for aid; that there was a deficit of twelve millions in their accounts, and that their finances required a complete and effectual regulation. What he now wished for was, that before they advanced one farthing of the public money for the use of the company, they should be in possession of this document. If this paper had not been laid before the committee, they would have been acting under a complete delusion; it was, then, as necessary for the House to have it when they should be called on to vote a large sum of money. The production of the paper could produce no disclosure to the enemy, that could make the slightest inconvenience. There were in it some circumstances relating to expeditions in India, all the rest were matters of account. It was generally understood, that the distresses of the India company were owing to the conduct of the Board of Control, and to the delusive budgets on the affairs of India, that had been so often made

in that House. The document in question would serve to do away this delusion, and it was fit that the House, which would shortly be called on to advance money belonging to the public to the India company, should know what security the public was to have for the money so advanced, and what prospect there was of its being repaid. He concluded with moving, that there be laid before the House a copy of the *exposé* of the affairs of the East India company at home and abroad, signed by the secretary of the company, and laid before the committee on East India affairs.

Mr DUNDAS rose and remarked, that, it was something worthy of attention, that the honourable member was the single exception against the question in the committee, whether the paper now moved for should, or should not, be produced on the first report. The hon gentleman had stated, that this document embraced the whole extent of the East India company's affairs. He admitted that it did, but had likewise stated, that in that paper there were some expressions which might be improper to bring before the public. Whether that was, or was not, the case, he did not know, but he thought it was a paper which ought not to be laid before the public as a matter of course, as the production of papers relative to such questions seemed generally to be considered by the House. He contended that the documents moved for did not contain any more information than was already given in the report upon the table, and, in fact, that it gave more information than the *exposé* did. The objects comprised in the report were, the statement of the balance of debt, supposed to

be due from the public to the East India company. It contained all the details, the reasons, and the cause of that balance, and such information upon the amount which the *exposé* did not afford. Another topic which the honourable gentleman alluded to, as matter of complaint, was, that the cause of the default was not stated in the report. Now, in point of fact, the report alluded not only to the amount, but also to the cause of the deficit, and in reality they were more fully detailed therein than in the document called for. The third point in the *exposé*, and the only one adverted to by the honourable gentleman, related to the state of the finances of the East India company, and on which he complained that the committee had not reported. Now, the honourable gentleman must have known, very well, that it was utterly impossible for the committee to make their report thereon, from their not having had sufficient time to take it into consideration. Another subject of complaint was, the lateness of the India budget, not only in the present year, but in the last. The honourable gentleman must likewise be well aware, that the cause of that lateness was in consequence of the accounts from India not being arrived, but the honourable gentleman seemed to have forgotten, that the accounts for last year were now actually on the table of the House, and as soon as printed, were open for the inspection of members. He defended the East India directors from every imputation that they wished to withhold any information upon the subject of their affairs, and he declared their readiness to do their duty in every respect, by producing every necessary document. The honourable gentleman

gentleman had imputed to them sundry reasons why they should be anxious to keep back a statement of their expenditures and debts; amongst others, that as partisans and friends of marquis Wellesley, they would wish to withhold every information connected with that noble lord's conduct. He conceived that the question now before the House, was not whether the noble marquis had any interference in the increase of the East India debt, but simply whether the information as to the amount of the company's debts, which was laid before the Parliament, was more complete than the *exposé* laid before the select committee afforded, and, therefore, as that noble lord's conduct was not under consideration, there could be no inducement on that ground to detain the House from information upon the subject of the East India affairs. He complained of the harsh term of delusion, as applied by the honourable gentleman to the India company generally, and particularly to the budgets of Lord Melville. He was persuaded the honourable gentleman would be called upon to show that this was not a mere captious expression, and he hoped, that when a proper time arrived, he would be prepared to establish that proposition upon better grounds than he at present did, and he trusted, that when he entered the lists, there would not be any relation of Lord Melville's in that House, who would evince himself backward to enter into the contest with the honourable gentleman. He concluded by repeating, that he thought this document was wholly superfluous and unnecessary, because the report upon the table furnished every information

upon the subject of the East India company's affairs, that the House could require at the present time.

LORD ARCHIBALD HAMILTON said, that although the right hon. gentleman had given many reasons why this paper was superfluous and unnecessary, he had not given any guarantee to the House, that in the intermediate time before the document was produced, no step whatever would be submitted for the purpose of voting the India company the amount of their deficient expenses. It was his opinion that this document was highly necessary before the money should be voted, and unless he had some guarantee that no motion would be submitted to the House upon this subject, and unless he had some ground to believe that the right honourable gentleman did not oppose the production of the document to the public, he should vote for the paper moved for by his honourable friend.

MR DUNDAS, in explanation, said, he did not wish to conceal from the House his intention to submit a motion upon the report before the House, and he now gave notice of his intention to-morrow se'nnight, in a committee of supply, to propose a resolution upon the subject of the balance of accounts between the public and the East India company.

MR WILBERFORCE contended, that it was impossible for the House, to be put in possession of documents which had not been fully considered by the select committee, lest speculations injurious to the company might be formed upon the contents of it by the House and the public, before the committee

committee would be able to make their report

Mr WINDHAM was of the same opinion with the noble lord who spoke last but one, that it was contrary to the usages of the House to proceed separately with one decision of the committee, coupled with another proceeding of the House. He thought it necessary, however, to guarantee the House that no motion respecting the grant to the company would be made until the paper was laid upon the table.

The CHANCELLOR of the EXCHEQUER thought it unnecessary to say what was to be done, in consequence of the report of the committee, as it would be time enough to object to the proceeding when the motion was submitted to the House, if it was thought an improper one. He conceived therefore, that the motion of the honourable gentleman was rather premature, and in fact unnecessary. The report upon the table was to show that we were indebted to the India company in a certain sum; and surely, if the debt was admitted to be a just one, we were bound, as honest debtors, to pay our creditors.

Mr WINDHAM explained

Lord FOLKESTONE supported the motion.

Sir JOHN ANSTRUTHER went into the history of the committee, and considered this motion as intended to withdraw from the committee a paper they had not yet come to a determination upon, and for the purpose of influencing a debate to which it did not belong. A more preposterous proceeding he could not conceive; and if the House went into it, every paper laid before the committee, might be moved for on the same ground,

and the function of the committee put an end to. When they received the report, it would surely be time enough to see if they had not accompanied it with the proper papers. The committee had resolved it would be necessary to have the paper printed and produced.

Mr TIERNEY went into the committee with the full intention to give publicity to every thing relative to India, and had gone religiously through in this resolution. That not more information was thrown upon the home affairs was entirely owing to the honourable gentleman himself, (Mr. Creevey) He had the doors of the India house open to him, and was empowered to examine every clerk and commissioner in it. He could not bear, after this, to hear the directors and the company charged, in a public manner, with having packed a committee to conceal their affairs. He had never heard, till within this five minutes, that this paper had been refused, although if he had, however, been on the committee, he would have joined the majority, for he never could conceive that this, which was a disquisition on the affairs of India, at home and abroad, made up by the directors, for certain purposes of their own, could be thought a necessary appendage to a report, confined entirely to home affairs. He could therefore never concur in a motion, so irregular as this, though if any demand was made for a money vote to the country, he would have no hesitation in saying, produce it at once, notwithstanding the premature speculations and opinions that will be made upon it --- Certainly the investigation of these papers was a most painful duty to those who had the welfare of their country

country at heart; but he must again repeat, that every facility was given by the company, and if any information was wanting, it was entirely owing to the honourable mover himself.

Mr. PONSOMBY expressed his opinion that every shilling the country owed the company should be paid, and after that the whole affairs of the company should be laid before the public, before they granted a loan of a single guinea. He advised the withdrawing of the motion.

Mr. CREEVEY said he never meant to throw any imputation upon the committee, all that he said was, that they were not properly selected for the purpose of investigating India affairs. He was charged with not having used the opportunity offered him of examining the India accounts, but it never was his intention to ransack the papers of those he looked upon as bankrupts. He would still use his discretion in this point, and do nothing more than attend the committee for the purpose of watching its motions. These were his opinions, and he would never be deterred from standing up in his place to state them. His motives for moving for this paper at the present time, was, that if he deferred it as long as other gentlemen seemed to wish, it would be too late. He wished it to meet this report, and to have it before the House in time to discuss the loan to the company with all possible information. When this was pressed by a noble lord behind him (A. Hamilton) upon the honourable gentleman opposite, (Mr. Dundas) he had evaded the question, and only given notice of a motion respecting the payment of the debt. Though the session was so far

advanced that he despaired of time, he would withdraw his motion, for the purpose of bringing it forward again at another opportunity.

Mr. R. THORNTON animadverted on the strong language employed by the last speaker. His calling the India company bankrupts was very reprehensible, and not warranted by any of the papers before him. His candour in other matters was however of a piece with this, when he said the respectable and upright committee were unfit for their situation, and called upon the House to insult itself by mistrusting the committee of its own appointment. This kind of language might have some impression, had it not gone so far as to defeat its own purpose, and he was sure, when an example of so little candour was shown, it would be a warning to the House, when the honourable gentleman came to speak upon the report, not to pay a very implicit regard to his word.

The question was then withdrawn.

Monday, June 13.

AFFAIRS OF THE EAST INDIA COMPANY

Mr. R. DUNDAS moved, that the house do go into a Committee of Supply, to whom should be referred the petition of the East India company, and the report of the committee appointed to inquire into the affairs of the said company. Upon the motion being put from the chair,

Lord FOLKESTONE rose, and objected to the Speaker leaving the chair, as he thought the report alluded to was perfectly unsatisfactory, and contained so little information, that it would be quite improper for the house to go into its consideration. On a former occasion

occasion an objection had been stated as to the manner in which that committee had been formed, and he still looked upon that objection as being justified by the report now upon the table. There were, in his opinion, various facts, of which the House ought to be in possession before they proceeded to vote any great sum of money to the East India company.

Mr R DUNDAS observed, that the objections of the noble lord would be better reserved for the committee.

Mr CRELVEY was of the same opinion as the noble lord, but would not object to the house going into the committee.

The house having gone into a Committee of Supply,

Mr R DUNDAS then stated, that it would be unnecessary for him to say much, as the report contained most of the facts that were necessary to be detailed --- Some misunderstanding had arisen between the accountants of the company and the public, which were referred to the committee appointed upon East India affairs, who had thought it necessary to adhere to the principles laid down by the former committee. The first article charged by the company was the expense of prisoners of war conveyed by his majesty's ships to India, immediately upon capture, which necessarily became chargeable upon the public, and the next was the expense of remitting to India such sums of money as had been paid by the company to the public in liquidation of the balance owing to them. A question had been stated, as to whether the public should be bound to pay in India the money so borrowed, or to the company in this country, and disputes had arisen as

to the rate of interest to be allowed. It had been, however, settled, by the report, that not only the expense of the remittance of bulion to India, but the usual interest of that place, where it was originally borrowed, should be paid. Upon these grounds he did not feel himself justified in calling upon parliament to make any advance to the company farther than that which had been formerly stated to be actually ascertained to be due. He concluded with moving, "That a sum not exceeding 1,500,000*l* be granted to his majesty, to enable him to pay the same to the East India company, on account of expenses incurred by them in the public service."

Lord FOLKESTONE repeated the objections he had urged before the house had gone into a committee, and then moved as an amendment, that instead of 1,500,000*l* the sum of five pounds be inserted.

Mr CRELVEY said, that he was rather disposed to agree to the resolution, with the exception of one item, amounting to 160,000*l*. which he could not consent to vote.

Mr TIERNEY supported the resolution. Although the committee were not vested with the authority of arbitrators, yet they had been appointed to ascertain the amount of the debt due upon either side. The result of their inquiry was, that 2,300,000*l* were found due by the public to the company, part of which having already been paid, this vote was only for an acknowledged balance, joined to some further subsequent claims. The point at issue, therefore, was relative to the rate of interest and the mode of transmitting payment of the debt due by the public to India. As to this, he had no doubt

doubt of the charge made by the company being perfectly fair and reasonable, and that if their accounts had been submitted to a master in chancery, the amount of their claim upon the public would have been nearly four millions, instead of the sum at which it had been charged in the report. He could not really see any just grounds for objecting to the liquidation of the debt as now charged, as it was strictly due by the public. If the noble lord was determined to persist in objecting to any part of that debt, he should at least allow, even in his amendment, that which he might look upon as unobjectionable.

LORD FOLKESTONE stated, that the principle upon which he had proposed a grant of five pounds, was merely for form sake, as he objected to the voting of any sum whatever upon the report in its present imperfect state. He did not object to the paying of Indian interest so much as he did to the expense which was charged for carrying out bullion to India.

SIR JOHN ANSTRUTHER said, he most heartily concurred in the resolution, as it appeared to him it was fair and reasonable the company should receive payment of the money in the same place, and in the same manner, in which it had been borrowed. The public must be paying interest for that money, until such time as it was sent out to India, and, therefore, he thought there could be no question as to who should bear the loss.

MR WILBERFORCE and LORD MORPETH severally stated their sentiments in favour of the origi-

nal resolution, and Lord Folkestone's amendment was negatived without a division. The original resolution was then put and agreed to.

Tuesday, May 17

CONDUCT OF MARQUIS WELLESLEY UPON THE CARNATIC QUESTION

SIR THOMAS TURTON rose to move his promised resolutions respecting the deposition of the nabob of the Carnatic. He began by saying—

MR SPEAKER,—Before I immediately call the attention of the house to the important subject of this night's discussion, important not only as it affects our interests in India, but as it involves the character and justice of Great Britain, I must claim the liberal indulgence of the house, whilst I state the motives which have induced me, and the steps by which I have been led, to undertake a task, which I must own myself so unequal to, without any personal weight in this house, unconnected with party, and disdaining to seek any other aid than the justice of my cause. Unable to supply these defects by talents or eloquence, I can only bring to this momentous case, the aid of laborious investigation, of disinterested zeal, and of an ardent desire to rescue the character of my country from the reproach which its Indian government has brought upon it. But however weak an advocate—however unequal to do justice to the question I must be, still, this great cause, decisive (as I firmly

* All the official Papers referred to in the course of the debate, are to be found in the *Asiatic Register*, for the year 1802.

believe

believe it to be) of our future interest in India, must wholly fall to the ground, if it is not preserved by my exertions, feeble and impotent as they are. Long before I had a seat in this house the partial discussions which took place within it on this subject, and the private documents which accidentally fell into my hands, fully satisfied me of the necessity of an enquiry into the conduct of those who appeared to be deeply implicated in transactions, so injurious to the character and justice of the country. Sir, when I learnt that this task had devolved on a gentleman (Mr. Sheridan) whose genius and talents are no less splendid than his political connections are powerful, I felt satisfied, that whatever might be the decision of the house, yet the subject would receive all the aid of talent and eloquence, of perspicuous and luminous arrangement, in addition to its own intrinsic merit. But when I entered this house, I found that these hopes could no longer be indulged, that the right honourable gentleman to whom I have alluded, felt himself compelled by circumstances to renounce that prominent station to which his character and abilities so peculiarly fitted him. Whilst, in common with those who considered the investigation as due to the honour of the country, I lamented this change of intention in the right honourable gentleman, I certainly did not impute it to any interested or unworthy motive, I have seen too much of the public conduct, and know too well the disinterested character of that right honourable gentleman, to believe that he would sacrifice

public justice to party motives, and whilst I admit the probability, that his political connection with the friends of a noble Lord implicated in this transaction, might have some influence on his conduct, I cannot impute to this cause only, his desertion of his post. We all know, that great genius is often allied to great indolence, or perhaps the demands which society makes on splendid talents, leave to the possessors leisure very inadequate to the deep and laborious application which this subject required. To whatever cause, however, this loss is to be attributed, all must deeply lament it. The public, as it feels interested for the honour of the country, this house, as it participates in the public feeling; but above all, myself personally, when I consider the comparison which all who hear me *must* make, between the advocate as he is, and the advocate as he might have been, yet, under our disappointment, this consolation still remains, that the right honourable gentleman, if he gives not the weight of his abilities to conduct the cause, has avowed his firm and unequivocal support of it—has openly and recently declared, with the manliness which forms so prominent a part of his character, “that he firmly adhered to his former opinion, and continued to look on the deposition of the nabob of the Carnatic as the most atrocious and inhuman proceeding that ever disgraced the worst government, in any age, or in any country”—I assure the house that this declaration has been one inducement to my undertaking this cause.

In

In this state, impressed with the importance of the subject, feeling for the deeply-wounded character of my country, yet aware how unequal I was to the task, I gave early notice of my intention to bring the subject forward, if no one else could be found to conduct it, but within and without these doors, I have uniformly and sincerely invited those whose talents might assist, and whose influence might give weight to their efforts, to advocate this cause in my stead. I was satisfied how much it would suffer by being placed in my hands. With sincerity may I say, in the language of the Roman patriot, "*Semper fuit in hac re mea sententia et voluntas, quemvis ut hoc malletm deus qui essent idonei suscipere quam me, me ut malletm quam neminem.*"

I much fear, Sir, that in opening this subject, I shall not quite satisfy the taste of one honourable member (Mr. Whitshed Keene) opposite to me, who considers it essential to a knowledge of this case, as well as that of Oude to go into a long detail of the various dynasties, and forms of government, which have existed from the breaking up of the Mogul empire in India, to the assumption of the Carnatic by our government. I have been certainly obliged to wade through them; but in this progress I have seen nothing which can induce me to believe that the house will obtain any useful information on the subject of this night's discussion, much less any amusement, by a detail of the Ghisnian, the Afghan, or Patan dynasties, enlivened as they occasionally may be by the exploits of a Tamerlane,

or the conquests of a Nadir Shah. Every one knows what the character of a Mussulman government is—general imbecility, but occasional energy. Sir, I shall content myself with commencing the epoch of Indian transactions in the Carnatic at the death of Nizam ul Mulck, soubah of the Deccan, 1748, who had, about six years before his death, invested Anwar u Deen, father of Wallah Jah, or Mahomed Ali, with the nabobship of the Carnatic. At the death of the Nizam, Chunda Sahib set up his claim to the nabobship. The French espoused the cause of Chunda Sahib, and we that of Anwar u Deen. The war was carried on for six years with various success, till, in 1754, the two East India Companies in Europe put an end to it and Wallah Jah, son of Anwar u Deen, (who was killed in the war) was left on the musnud of the Carnatic, and invested by the mogul. No one can doubt the motive which induced our alliance—it was no favour to the family of Anwar u Deen, for, as the French had espoused the cause of his opponent, we had no alternative—it was not even a matter of choice, but of necessity. If Anwar u Deen had not succeeded, we must have left our settlement on the coast to our rivals, and lost all the advantages of the famous commercial charter granted to us by Feiucksere in 1716. Interest was our sole motive, though perhaps not supported by the same rapacity and violence as at subsequent periods. But if the nabob was our debtor, how long did he remain so? In 1763, he granted the East India Company a jaghire of four districts, surrounding our settlement at Madras, forty miles in extent ---

This

This surely was ample recompense for the support of our own interests in India.

The alliance between us and the nabob continued uninterrupted for many years--indeed it never ceased. In the war with Hyder Ali, in 1799, when that prince dictated a peace at the gates of Madras, the nabob's forces joined ours, and it is well known in India, that Hyder was in a great measure induced to invade the Carnatic from resentment at the unnatural friendship subsisting between a Mussulman government and the British. In subsequent wars, the same alliance, the same conformity, subsisted between us. In the year 1797 we persuaded the nabob to disband his army, and to commute his military service for a subsidy. This was the foundation of the treaty of 1787, which was a subsidiary treaty. In the year 1793, Lord Cornwallis, finding that the payment stipulated for by the treaty of 1787, was beyond the means of the nabob to pay, without a grievous oppression of his subjects, reduced the amount, but obtained security for the regular payment of the sum stipulated by this last treaty. The policy, as well as justice, of this measure, was soon evident--from that time to our assumption of the government, the kists were paid regularly, indeed the payments were almost all made within a few days of the time in which they were due, and quite up to the period of the assumption of the country by us. In 1790, the nabob Wallah Jah, or as he has been otherwise called, Mahomed Ali, died at an advanced age, and the declared and recognized friend and ally of the British government;--He is so described in all his trea-

ties executed with him--he is so recognized in the treaty of Paris in 1763;--he was so treated by the great Lord Chatham, in his letter to him, and even by a still greater authority, by the sovereign of these realms. At his death, his son, Omant ul Omiah, succeeded him, and from the moment of his ascending the musnud to his death, the same alliance, the same friendship, the same treaties subsisted. True it is, that at different periods attempts had been made to modify the treaty of 1792, but they resisted by the then nabob Lord Macartney had attempted it; so Lord Hobart, the East India Company wished it; but their servants were expressly forbidden to use any violence to obtain it, or any other arguments than those of persuasion and intreaty. In this they were seconded by the opinion of that virtuous man, the late Lord Cornwallis, who, impressed with the advantages which some partial modification of the treaty would give to the Company's general affairs, yet thought it dishonourable to the British character to use the shadow of violence to obtain them, much more to violate a solemn treaty for the purpose. The papers on your table will fully prove this statement. This treaty, therefore, unaltered, unmodified, in the state in which it was executed by Lord Cornwallis, in its basis guaranteeing the rights of sovereignty of the then nabob, Mahomed Ali, his son, Omdut ul Omiah, and "*his heirs and successors*," remained obligatory on the East India Company at the death of Omdut ul Omiah, in 1801. Let us then see how the company (or more properly the government) got rid of this solemn act of their own. Perhaps, Sir, the best mode

of enabling us to form an opinion on this case, will be by a plain detail of the transaction as taken from the papers so long before the house

Sir, I have before stated to the house, that on the accession of Omdut ul Omiah, he succeeded naturally to all the rights of his ancestors, and to all the advantages and obligations of the treaty of 1792, and that to the moment of his death he faithfully discharged the payment of the kists due by that treaty. When this prince was on his death-bed—surrounded by his relatives and nobles—afflicted with a malady that threatened speedy dissolution, and consequently occupied in preparing for another world, and in his arrangements to quit this—envisioned by the affectionate sorrow of his family and friends, to whom he was giving his last mournful directions ---at such a moment, and under such circumstances, was it thought not unbecoming British honour and feeling to violate the repose of the dying, and, under the base pretext of protecting the palace from tumult, to commence the first scene of this foul tragedy, by the introduction of a military force into the interior of the dying monarch's palace! On the 5th of July, 1801, colonel M'Neil received orders to proceed with a body of troops to take possession of the palace of Chepauk. On the troops arriving at the outer gate, major Grant communicated to the nabob then arrival, with the pretext of their being sent On this information, the unhappy monarch sprang from his bed of sickness, and prostrating himself on the ground, clung round the knees of major Grant, imploring him, by the ancient friendship which had so uninterruptedly subsisted between the English government and himself,

not to suffer his dying moments to be interrupted by this unfeeling outrage, or his subjects to witness this sad and last insult to their monarch, and degradation of his consequence in their eyes. Colonel M'Neil not seeing that any advantage was to be gained by the occupation of the interior, ventured to disobey the orders of the government, and stationed the troops so as only to surround the palace. In this state things remained till the 15th, when Omdut ul Omiah died, and to all appearance (for the approach of the troops was accounted for by a concern of the company for the peace and security of the nabob's government) in friendship with the company. At no period of our connection with Hindoostan, were the interests of Great Britain less endangered,—her influence more powerful, her apprehensions less alive to danger, than at this moment. There was nothing to excite fear, or even to justify precaution, much less violence; yet scarcely was the nabob dead, before two cold-blooded commissioners entered the apartment of grief and tore—from the performance of filial duties, from the sacred indulgence of heart-felt sorrow for a deceased parent—the heir to his virtues and his throne, to answer countless interrogatories, and to bear the memory of his revered father and grandfather polluted with the name of *traitors* to the East India company—*traitors*, Sir, to a power their friend and ally, and who occupied scarcely a foot of land which they owed not to the bounty and gratitude of these sovereigns!

Sir, to conceive the extent of this outrage, of this unhallowed profanation, of that decency, which even the rude, uncivilized savage deems

sacred

sacred towards the remains of the dead, in a country where prejudices and customs, as in India, form part of the business of life, one must have lived in that country, but I have been informed by those best acquainted with the customs and habits of its natives, that the human mind can scarcely conceive the extent of sacred veneration and hallowed grief which presides at the funeral couch of the princes and nobles of the east. One instance will suffice that for forty days after the death of a near relative, no business whatever is done. If there ever was an occasion when this custom might be allowed, even by European fastidiousness, to have its full operation, it must be on this, where an amiable youth was mourning the loss of an indulgent and beloved parent. But the errand of violence and rapine, on which these agents were sent, disdained the weakness of filial duties, their message brooked no delay. The prince (then sovereign of the Carnatic) was *ordered to attend the British commissioners*. To save himself (as he afterwards describes it) and his deceased parent from pollution he could not bear to think of, he obeyed the unfeeling mandate. The will of the deceased was first required by the commissioners, and delivered to them in it the prince was appointed successor to the musnud. When the commissioners were satisfied of this, they began to open the purport of their embassy with an avowed concern for the situation of the prince, they informed him and the regents appointed by his father's will, that his dominions were forfeited to the company by the treason of his father and grandfather, in having maintained a correspondence with the late Tippoo Sul-

taun, hostile to the British interests. In vain did the prince and regents remonstrate against this foul imputation on the character and good faith of their parent and sovereign, in vain did the dejected prince state the uniform tenor of his father's conduct, the long and well-tryed friendship that uniformly subsisted between the English and the nabobs, and the principles and feelings of friendly attachment to the British nation in which his father had educated him from his earliest infancy. All these and other arguments were advanced to shew the impossibility of such a charge having any real foundation: but the errand of the commissioners was not to investigate, but to convict, not to heal the defence of the accused, but to pass sentence on the innocent successor. The prince was soon informed, that the proofs of guilt were decisive, the punishment settled, that he must either descend from his elevated rank, and mix with the bulk of his own subjects, or subscribe to conditions the most humiliating and base, and which would stamp with ignominy the memory and revered names of his ancestors;—no other, Sir, than the complete surrender of the whole Carnatic to the East India company, retaining the nominal sovereignty, and consenting to be a pensioner on the bounty of the company. This first conference was protracted to a late hour, and the prince was at last suffered to retire. At a subsequent meeting of the commissioners, the regents proposed, in his name, a modification of the treaty of 1792, to place as security for the payment of the kists, the mortgaged territories in the hands of the company; in fine, to do every thing consistently with

his honour and dignity to manifest his regard and friendship for the British nation. This and every other expedient was rejected, and absolute, unconditional submission to the will and mandate of the company insisted upon. Other meetings took place, two of them in the tent of colonel M'Neil, lord Clive being present, and here every engine of intimidation and persuasion were alternately practised on the young man. Troopers, with their drawn swords, paraded in front of the tent. He was informed by Mr Fitzgerald that resistance was vain, that the governor-general, the court of directors, and the British government, were determined to carry this measure into effect. These arguments, coupled with promises of exterior advantages from the friendship of the company, on the mind of a young prince scarcely seventeen years of age, were very likely to shake his first and natural impressions; and, if we are to believe the statement of the commissioners, they for a moment staggered his first virtuous and honourable resolutions; but reflection soon restored his fortitude and honour, and at the next meeting with lord Clive, Ali Hussein informed him, that his mind was fixed, and determined rather to endure any calamity, than consent to affix this deadly stain on the memory of his ancestors. He was again asked if he was aware of the consequences of his resolution, that, from the pinnacle of human greatness, he would be precipitated into the abyss of worldly misery, and, on replying in the affirmative, he was told, that his lot, in future, would be that of a subject only.

He then took leave of his oppressors (as the commissioners themselves represent it) "with a smile

of internal complacency;" and perhaps another was added of just contempt for this specimen of British justice and humanity in India. Sir, one should have imagined that this dignified and firm conduct in an Eastern prince, would have ensured to him the friendship, and would have excited the interests, even of those employed in this cruel mission, that at least they would have paused before they completed the work of injustice, and learnt from the great fountain head, from the contriver and mover of this wretched policy, whether there was no retreat, no compromise which British tyranny could admit. But no, Sir. The noble lord (Earl Powis) whose character for humanity amongst his English circle of friends has always stood fair, acknowledged no emotion of sympathy, no feeling of compassion for this injured prince, he came as the agent of an inhuman government, and one symptom of feeling displayed by him would have been a libel on his instructors. After having, therefore, observed, that he had done enough for the national faith, and the duties of humanity. (Oh! prostituted names!) he dismissed this miserable, but high-minded prince, with the unworthy threat, "that he would repent his conduct." The threat, Sir, was not long in executing, injustice and tyranny found too quick and ready agents. Determined to strip him of his dominions, the task was not difficult. Appearances, however, were to be preserved. A nominal sovereign was to be raised to the musnud in room of the rightful heir. The two next in succession by the Mahomedan law, Syf ul Mulck, and Husum ul Mulck, were passed over; perhaps their dispositions

were not favourable to the intended usurpation. The situation of Azeem ul Dowlah (the late Ameer's son,) immersed in prison, presented the commissioners with the means of carrying this nefarious project into execution, from him it was impossible to suppose any opposition to their plan, he had no pretensions to the musnud, and therefore could not be supposed to dispute the terms on which he was to receive his elevation. On their first application to him he was too much frightened to permit them to develop the then plan, he was apprehensive they were coming to assassinate him, and it was with difficulty he could be assured of his safety. Subsequent interviews, however, soon informed him of the honours that were prepared for him, and the terms on which he was to receive them; of course no objections were not objected to, and the very acceptance of the terms raised this uneducated young man (a prisoner almost from his earliest infancy,) in the eyes of his disinterested patrons, to the height of mental capacity and to the credit of displaying "*considerable talents*" for government. This discovery was natural, as the criterion for talent was the greatness of his observance to their designs, and it is not surprising, therefore, that in a few interviews they found him the perfect model of a sovereign and a statesman. On the 20th he was presented in form to Lord Clive, on the 28th he was installed on the musnud. But this day, in all communes, but particularly in the East, a day of festivity and splendid joy was celebrated with the form, indeed, of gratulation and pomp, but with the heart of sorrow and misery. Instead of nobles vying with each other in the heartfelt

obsequance of duty and love to their new monarch none but the hired and venal slaves of the British government, or the most despicable of the natives, could any where be found to attend the ceremony; only one of the nobles could be prevailed on by menaces or entreaties, to do homage to the usurper, by attending the installation, and that noble (a just reward for his apostacy) has been since an outcast from all parties. But the feelings of the nobles or people of the Carnatic formed no part of the consideration of the British government. The country was to be obtained—no matter how. But this was not yet enough, the treaty of 1792 still remained, if not in force, yet in existence, by that the real heir and successor of Omduh ul Omrah was guaranteed in his succession. A new treaty, therefore, was to be made, but what could be the preamble? It could not state "that the young prince Ali Hussein, who succeeded, by the will of his father, to the musnud, had refused to convey all his territories to the East India company, and that therefore they had set him aside, and raised Azeem ul Dowlah to the throne." No, sir, this was too bold and daring a flight of tyranny and injustice, to suit the littleness of the rest of the plan, they were resolved to be, at least, consistent. On the 31st of July, therefore, they executed a treaty with their puppet, in which they state "the *hereditary* right of Azeem ul Dowlah to the throne of his ancestors." They had forgotten that to Ali Hussein they had alleged the forfeiture of *all hereditary right* by the treason of his ancestors, and that from the bounty of the company alone, could the natural or adopted

adopted heir of Omdut ul Omrah hold any part of the dominions of his ancestors. In the joy of their success in the attainment of their object, they did not observe that this very preamble tore off, in an instant, the flimsy veil which, to save appearances, they intended to throw over this diabolical transaction, that the whole world must see through the paltry pretext they had advanced for their treatment of Ali Hussein. Indeed, it must have puzzled Azeem ul Dowlah himself, if he was capable of forming a judgment on the treaty, how he came by an *hereditary right* to the musnud, in preference to the three princes I have mentioned. The treaty, however, was executed, and sent to the governor-general. This glaring mistake did not escape his acute and discerning eye, and while he gave his general approbation, and bestowed his warm encomiums, on the "ability and moderation" with which the governor of Madras had conducted himself, he delicately observed on the inconsistency in which this acknowledgment of *hereditary right* would involve the British government, and suggested an application to Azeem ul Dowlah to subscribe "*the liberality and long-suffering company*," for those who caught his words. The application was made, and of course consented to, and thus stands the treaty on paper. Before I take leave of it, I cannot help observing that a most curious piece of state mechanism procured the archives of the British Museum; a treaty which was one hand gives every thing to a foreigner, and with the other takes it again from him, a happy specimen of Eastern composition! of British negotiation in India!

After this statement, one should

have hoped, for the honour of humanity, thus dauntly outraged; for the honour of the British character, thus deeply wounded, through its servants, that the last and finishing stroke was given to British tyranny and oppression, when that the great and only object was obtained, some little pains would have been taken to soothe the irritated and astonished minds of the unhappy sufferers in this scheme of state villainy; that, above all, the gallant and noble minded prince, the deadful sacrifice to their lawless ambition, would have found a peaceful refuge from his misfortunes in the protection of that power which had stripped him of his dominions, under the fertile presence of his ancestor's misconduct, and that he would not have formed a cruel exception to obtaining that sympathy which the virtuous character in misfortune is so fit to excite. Whoever, Sir, thus judges and thus reasons, knows himself of the character and conduct of the then British government in India. No, Sir! Ali Hussein, nor still beyond forgiveness, nor yet dared to disobey the mandate of the government—an offence never to be forgiven! For him, however, to be thus to be thus treated; an oppression and its death warrant. Will it be he cried, and that, so much to have not and that he should appear as a victim of a treaty and a decision on the part of the British government, the government which had most to be said in his case and capacity, whose power and authority had induced him to appear as a subject of extraordinary and unexampled stain on the memory of his ancestor, was deliberately pro-
by

by the British government, together with his wife and family, with every thing dear and valuable to him in this life, *in the power and custody of the usurper of his throne*, that his very subsistence, the actual means of life, were made by them to depend on the nod and will of his natural enemy? Can the human mind conceive a refinement of cruelty exceeding this? Yet, even in the place of confinement, in the mode of executing this tyrannous act, vindictiveness found a powerful auxiliary. The very palace in which he had been educated, where, in the life-time of his parent, he had resided with his wife and family, which had been bequeathed to him as his private legacy, and which had been decided in the case of Mr. Latour, a mortgagee of the late nabob's, to be the exclusive private property of his ancestors, and, as such, subject to the right of the mortgagee—this palace, Sir, was chosen for the place of his imprisonment, and the usurper of his throne put in possession of his property and person at the same time, and not one friend, one acquaintance, permitted to enter his apartments, without the permission of Azeem ul Dowlah. It requires no great foresight to predict the issue of this measure, he must be ill read in the history of royal captivity, not to perceive how short, in these cases, is the distance between the prison and the grave. The unhappy prince was fully aware of the fate which awaited him; and in that feeling protest, on the table, to the sovereign and to the heir apparent of these kingdoms, against the manifold injuries he had sustained from the British government in India, he pathetically dwells, in the spirit of prophecy, on this last aggravated act of oppression and

injustice. "I need not," says he, "endeavour to impress you with the horrors of the situation to which I feel myself reduced. You have but to picture to yourselves the height of human grandeur, and the sad and miserable reverse of it, the highest and lowest state of which humanity is capable; but even the meanest subject of the very worst government possesses a blessing which my fortune and fate forbid. He owns the gratifying sensation of knowing himself safe amidst the society of his fellows; whilst I, an unit, as it were, in the sum of the people of the Carnatic, am delivered into the hands of an enemy, who has but one act to execute to finish his career." Alas! Sir, too fatally prophetic were these fears. Before the government at home could send out their orders to take this unhappy prince under the protection of the government, (for this justice, must be done to the administration of Mr Addington) and out of the hands of Azeem ul Dowlah, this unhappy prince was no longer the object of earthly commiseration. The bitter cup of misery, filled to the brim, at last overflowed, and "ran over into eternity." His great and dignified mind, unfitted to encounter the tyranny and violence of British Indian justice, sunk under the accumulated injuries which pressed on him, and his pure spirit, weary of its earthly abode, fled from its persecutors to those regions of eternal bliss, where, at the feet of his creator he is seeking retribution for his wrongs! God grant that they may not be visited on Britain, for the delinquency of her sons in India!

And now, Sir, let me for a moment pause, and ask the house, the country, and even the friends and supporters of the then government

in India, whether the annals of a Nero or Caligula, ay, Sir, even of the modern Nero, furnish one single instance of a transaction more tyrannous, more diabolical, more keenly outraging every feeling of a British mind, than this which I have so faintly stated to the house; in which I have not only exaggerated nothing, but, if I am permitted to have a committee to investigate the particulars of the treatment this heroic prince received, I pledge myself to the house to prove a case, far, very far, more atrocious than I have represented it. I have, Sir, a motion to submit for this purpose. And is it really, Sir, the conduct of a British government in any quarter of the world, that I am compelled to designate with terms so opprobrious? with a character so opposite to the mild spirit and practice, not only of our government and constitution, but of every Englishman? How, Sir, are we to account for this wonderful and sad change of the British character? I well remember, that great statesman Mr Burke, with that energy of expression, and that sublime eloquence which so peculiarly distinguished him, describing the change of the British character in India, could no otherwise account for it, than by supposing "that those who visited India were unbaptized in crossing the line, and left all their Christian virtues behind them." At least it appears that some of our governors, if they took their virtues with them, soon got rid of them after their landing in India. I remember, Sir, when I moved for the re-printing of these papers, I was asked whether I meant to charge either Lord Wellesley or Lord Clive with the specific crime of the murder of Ali Hussein. To that question I answer now as

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I did then—That of the specific crime which the law calls murder, and which implies intention, I never did, but I hesitate not to charge them with being in a great measure the cause of his death—first by their oppressive conduct towards him in despoiling him of his dominions, and secondly, by placing him in the power of the usurper of his throne. That he died not a natural death, I firmly believe, by the evidence of Dr. Anderson ---- The disorder had been attended with bloody stools, which lasted twenty-five days, as I understood, no uncommon symptom of poison. But I do not charge even Azeem ul Dowlah with the murder of his prisoner, not because I doubt it, but because I have no proofs of it. But is there one individual who has read these papers, the most partial and allowing friend of those who are implicated, that can hesitate to condemn this ill-judged and inconsiderate conduct (to say the least of it) in the government of India? Did it require any great knowledge of human nature, to perceive the imminent danger to which the prince must be exposed, if placed under the power and control of Azeem ul Dowlah? and the strong, very strong interest which the usurper must feel in the death of his captive? It is impossible but he must have wished and have sought it. If they had even consulted that great master of the human passions, the immortal Shakespeare, he would have told them---

"It could not be,
That while warm life plays in that
prime veins,
The misplac'd Azeem should entertain
an hour,
One minute, nay, one quiet breath
of rest
A sceptre snatch'd with an unruly
hand,

Mus

Must be as boist'rously maintain'd
 as got,
 And he that stands upon a slippery
 place
 Makes nice of no vile hold to keep
 him up."

Every man in India saw the danger. Mr Addington and the government here saw it and if the two noble lords saw it not, they either shut their eyes, or lost for the moment their common intellects. No, Sir, they did see and feel it, they occasioned it, and they refused to remedy it. Application after application was made to them on the subject by the prince, the regents, and all the captives of the family, male and female. No redress followed, but the increased insult of referring them to the usurper, by whom they had been inflicted. At last, however, they were told, "that they might leave the palace if they chose!" In the excess of benevolence they were permitted to be wanderers from that home, which was their own and sole property, and strangers in a land subject to the sway of their ancestors, yet not even the protection of the Company from want and insult was proffered them! This boon of liberty, steeped as it was in poverty and want, was clogged with a condition which rendered the acceptance of it impossible---*their women were to remain in the palace, subject to the lust and will of the usurper!* On such conditions they refused the *nolle* boon, they spurned the insult offered them, and preferred to drag on a miserable captivity.

I will now, Sir, take leave of this most painful part of my subject, and would to God the scenes I shall now turn to, were such as to console us for those we have just witnessed, that, dark and melancholy as has been the picture

of woe I have exhibited, it could have been rendered less disgusting to the eye, by a review of those reasons which have been assigned to justify the act. It, however, the act itself presents all the horrid features of tyranny and oppression, of cruelty and injustice, the prettexts by which it is defended are still more disgraceful to the British character,---they strip the act itself of those bold and daring qualities, which dazzle and confound the mind, and in some measure diminish the atrocity of the act, but here every thing is low, mean, and pitiful, all is subterfuge and chicanery. A sovereign is despoiled of his dominions, on charges and pretences---not against *himself*, but against his deceased ancestors, which, if fully substantiated, would not have convicted *them* of the indefinite crime of an intention towards *unfriendly conduct* against the British interests the most abandoned and notorious criminal could not have suffered the slightest punishment on such evidence. for what is the evidence? A correspondence which took place many years since---between whom? not between Wallah Jah and Tippoo Sultaun, nor between Omdut ul Omrah and Tippoo, but between the ambassadors of Tippoo and then master, stating conversations which passed between them, Wallah Jah, and Omdut ul Omrah! How is such evidence made to affect the nabobs? By what forced construction does it apply to them? Will the right honourable and learned baronet opposite (Sir John Anstruther) say, he would have convicted any criminal on such evidence in his court at Bengal? Would he even have suffered it to be read? The right honourable gentleman may smile,

but

but will he answer in the affirmative? I challenge him to do so

If, however I can summon patience to go through the disgusting scene, I will state to the house the whole of these contemptible substitutes for evidence. I will examine in order this mass of impotent proof, and let us see whether, if cleared of their legal objections, they prove any thing criminal, or approaching to it, against any body, save against the British government in India, that, indeed, for the use it has made of them, will be consigned to eternal disgrace and infamy

The first of these criminal letters is from Gholaum Ali Khan and Ali Reza Khan, Tippoo's ambassadors (attending on the young princes who were hostages with Lord Cornwallis) to their master. It states a conversation between them and old Wallah Jah, in the presence of the princes, in which the old nabob is made to say, on the ambassadors presenting him with a gold mohur, in their master's name, "May God long preserve Tippoo Suldaun, who is the pillar of the religion of Mahomed"! Was this criminal? I observe the gentlemen on the other side, by their gestures, seem to say ---Yes. What! were wishes, dressed in the hyperbole of Eastern language, to be considered as criminal? Who was Tippoo, to whom he wished prosperity? An enemy of the British government in India? No such thing he was at the time a friend, and in alliance with the Company; and such a friend as had been recommended by the British government, by Lord Cornwallis himself, to the attention of the nabob, and we actually find, that at another inter-

view, about three days afterwards, the particulars of which are detailed by the same ambassadors, they write to Tippoo thus "On the 24th Tuckee, Wallah Jah, Omdut ul Omrah, and Hussein Nawauz Khan, the younger son of Wallah Jah, Lord Cornwallis, and General Meadows came to visit the princes. His highness took occasion to observe, that we considered him to have been an enemy; whereas, he declared in the presence of God, that he was not, and is not; that, on the contrary, he was a friend and well-wisher; that he had opposed the breach between your majesty and the three allied states to such a degree, that every one decided in his own mind, that inwardly your majesty and his highness were one, and he desired us to ask Lord Cornwallis and General Meadows (who were present) *whether he said true or not*" Now, Sir, let me ask the most credulous, if it were possible that a conversation so open, and to which reference is made to the British government, then present by its representatives, could have any thing criminal in it? Lord Cornwallis, after his treaty with Tippoo, believing, perhaps, that it would be the means of more firmly establishing the good understanding between the English and Tippoo, in that spirit of peace which always directed the conduct of this amiable nobleman, recommended Wallah Jah to cultivate his friendship, and to treat the young princes of Mysore with attention. It was in compliance with these wishes that the old nabob paid them these visits and these compliments, which have so alarmed the British government. But to proceed, Sir, to the second paper, which is also an extract.

This

This is an acknowledgment, by the same ambassadors, of "a gracious letter, giving cover to a slip of paper on which were written two couplets, of the 28th Luckee," and after this, the writers inform his Majesty in Majesty, "that they understood his instructions, and will act up to them when occasion requires." Well, sir, what has poor Wallah Jah to do with this? Why has it been introduced as a charge against him, that ambassadors receive instructions from their court, and promise to obey them? But it may be said, these were not common instructions, for they produce a second letter from the ambassadors, promising secrecy, for No 3 is an aizee from the same ambassadors to Tippoo, in which are the important words. "*Your majesty desires we will not divulge the secret to any one. Refuge of the world! we consider the concealment of the commands and secrets of our superiors in the light of a religious duty.*" I have no doubt the instructions were deemed important by Tippoo, perhaps they were so, but is there the slightest proof that they were ever communicated to the nabob, or even that he was concerned in them? Not one tittle. As well may you say, that if the right honourable secretary sends instructions to an ambassador at a friendly court, enjoining secrecy, that this very injunction is an hostile measure to the court where he resides, and must mean treachery towards it. But then I shall perhaps be told, that, if it proves nothing by itself, it confirms other more strong proofs of the nabob's treason, and that the next document is evidence of it. Let us then examine it. This is also an extract of a letter from the same ambassadors to their

master, recounting what passed at another interview, six days after the former, in which the old nabob, then turned of eighty years of age, with those amiable feelings, his characteristic, took the young princes on his knees for two hours, and, in all the simplicity and goodness of an ancient patriarch, invoked blessings on them and their parent, assured the ambassadors that he considered Tippoo as a pillar of the Mussulman faith, and that he daily offered up prayers for him, and made his subjects do the same." The next day it appears the visit was returned, and it being the feast of the kedoo Zoha (the feast of the camel) the nabob, his sons, and sidars, all came out to meet the ambassadors, and the princes were again taken on his knees, and the same blessings and compliments passed, and he is represented as the prince "though whom these rituals and observances of the faith (alluding probably to the Eed) yet remain." The ambassadors then go on to state, that the nabob observed to them (and this is, I understand, the threatened proof of treachery) "that in his first conversation with them, as detailed in No 1, he spoke to them on the subject of establishing a friendship and harmony between him and Tippoo," asking them, "if they had intimated it to him, and received a favourable answer?" The ambassadors reply that they have, and that Tippoo had answered most favourably, not admitting a doubt of cordiality and friendship subsisting between the followers of Islamism, and they then relate an expression of Tippoo's, "God preserve the nabob Wallah Jah! who is a prince, and one of the leaders of the faithful, and a pillar of the faith." The politeness and

and modesty of the old monarch here break out, and he refuses this title, which he had before appropriated to Tippoo exclaiming-- "I am what I know myself to be; tell the sultaun that he is the pillar of the faith." After this struggle of compliment, the old nabob, resolving not to be outdone in courtesy, exclaims to the princes, "Oh! my sons, if my life and property can be of any service to you, God is witness that I will not refuse them to you." He then gave orders to his gardener to send the children, daily, fruits and flowers; and afterwards, turning to the ambassadors, assured them of his regard, telling them how anxious he had been to preserve peace between their master and the English, and how much he had incurred the reproofs of the latter for his interference. He enters also into the particulars of his own affairs at great length, and concludes the visit with presenting khellauts of embroidery and jewels, to the princes and ambassadors, as is the custom on feast days; and then, after sending dancing girls with the princes, took leave of them.--The ambassadors then comment on the general disposition of the people of the Carnatic, and inform Tippoo, that whenever the princes went out, the natives stood by thousands in the streets, and offered up prayers for Tippoo's prosperity; and that, on festivals and Fridays, all the Mussulmans first prayed for his (Tippoo's) preservation.--Thus ends this very important *extract*, which is to shew the hostility of the nabob to the English. Will it, Sir, be credited, that all this avowal of friendship, so dangerous to British interests, all this regard for the happiness and prosperity of Tippoo, so incon-

sistent with his alliance, and on which the solemn charge of *treason* is founded, passed in the presence and hearing of a loyal and gallant English officer, Major Doveton, who had the custody of the princes? and for the truth of these assertions, wherein the nabob is made to avow the sincerity and extent of regard for the interests of Tippoo, he appeals to this officer, as he had before done to Lord Cornwallis? Is, there, then, a possibility that the nabob, at such a time, and in such company, was meditating hostility to the English government? We are next favoured with another extract of a letter from Tippoo himself to his ambassadors. What does it direct his ambassadors to do? Nothing more than to return his compliments and thanks to the old nabob for the kindness he had shewn to his (Tippoo's) sons. Not one word appears in it hostile to the British interests, or leading to the remotest suspicion that the nabob was carrying on a clandestine, much less a treasonable, correspondence. There is certainly a great deal of courtly style and Eastern hyperbole. The sultaun had been called the pillar of the faith, and in return he tells his ambassadors that "it is evident the nabob is a pillar of the Mahomedan religion, the elect of the Almighty, a man of dignity and worldly experience."--Really, Sir, one can hardly summon patience to read through these unmeaning documents.

The next in order is the cypher, which I shall reserve for the last, as considered by them the most important, and by myself the most ridiculous, of all the pretences they have advanced for proof of guilt.--Number 7 we will therefore next examine. This is a translation of

a letter

a letter (the first whole letter we have yet had) from Gholaum Ali Khan to Tippoo, *without any date*. It appears that, at this time, Ali Rheza left the Carnatic on a special mission to his master and we are left in doubt what and from whence the proposition was, for the letter informs us, that it was "for the purpose of bringing to a favourable issue the propositions of Lord Cornwallis, and the well-wisher of Marbud (Wallah Jah)." I think, after reading this sentence, it would be a waste of time to give one moment more to this document. No 8 is full of nothing but unmeaning compliment. No 9 is a translation of *the copy of a letter from Tippoo Sultaun to Omdut ul Omrah, the nabob of the Carnatic*, dated November, 1792. Now, Sir, it is impossible but part of this copy must be a forgery. It is addressed to Omdut ul Omrah, as *nabob of the Carnatic*. Now, he was not nabob till 1795, and is it possible to believe that, in a country where forms and ceremonies almost constitute the business of life, such a prince as Tippoo should address Omdut ul Omrah, who might never be the nabob of the Carnatic (if Wallah Jah so chose) as the then nabob? The thing is impossible, it discredits the whole mass of these flimsy documents, and excites the suspicion that they might all have been forged. But if this letter has not been fabricated, if it is a true copy of a letter, really written, it is as unmeaning and as trifling as the others. No. 10 deserves more attention, because in this Gholaum Ali Khan writes to Tippoo, that he (Gholaum) had received a message by Khadir Nawaz Khan from the nabob, giving Tippoo some information and friendly advice. Without

wanting to examine the validity of such evidence, I will suppose the message was actually sent by Wallah Jah to Tippoo. It was certainly most kind and friendly advice. "Take care (says the nabob) what you are about, you may not mean wrong, but your frequent communications with the Poonah government have excited suspicions here, and this, added to the withholding your kists, and your refusal to release the European prisoners, has alarmed even Lord Cornwallis. For God's sake, if you will rush headlong on destruction, do not break your word of honour with him, at any rate, perform your engagements with him, and if, after he is gone, you choose to act imprudently, the blame will not fall upon him." I should be glad to know what there is in this advice incompatible with the nabob's friendship toward us? I will put the worst possible construction on it, namely, that it was an advice to Tippoo to temporize with us. Why, Sir, with such a mind as Tippoo's, perhaps this was a great object gained, if not to us, yet to himself. Do we not know what the invariable consequence of a war between us and the sovereign of the Mysore was? the probable desolation and plunder of his kingdom,—in any event, the taking of his dominions from him for the time. Was it, therefore, either unnatural or unreasonable that he should use every possible means, even of delaying such a calamity? This is the most unfavourable view of the subject for the nabob. But I do not believe, if he did send the message, that he had any other intention than to act as mediator between both countries, from personal regard to lord Cornwallis; and I think there is every reason to think

I think that the advice was given at the suggestion of the noble lord himself. No. 11 needs no other notice than that it is an account of an exhibition of fire-works, given to the princes on occasion of a festival, and for which the governor of Madras lent his garden. Here Omdut ul Omiah is made to commence his career of compliment to Tippoo, as adulatory and absurd (to us) as his father's No. 12 contains some more advice from the nabob, said to be sent by the same Khadir Nawaz Khan. If this is a fabrication, it is carried on, if a real transaction, it is consistent with the former advice. The nabob here informs Tippoo, that, if he looks for support from the French, he will be deceived, that the English troops are going against Pondicherry, and that the place will be taken. He then expresses his hopes that the sultaun "keeps in view all the ups and downs of the time," and states his motive for this advice to be friendship. What is there in this hostile to Great Britain? Not one syllable that can bear such an interpretation. No. 13 is an extract of a letter from the ambassadors to Tippoo, detailing a conversation between Omdut ul Omiah and themselves, in the garden of the ambassadors, wherein, like his father, he is made to repeat the old story of his regard for Tippoo as the defender or protector of the faith. The ambassadors then inform Tippoo, that they have, under suitable pleas, and a proper introduction, prevailed on Omdut ul Omiah to lay the foundation of it, and that, please God, they would inform him (Tippoo) of the result. Now, Sir, I am very ready to allow, that something here is intimated, which wickedness and design might contrive into mysterious, and therefore

guilty intention; but how will malice be disappointed, when it learns that this communication related solely to a projected marriage between the princes, which never took place, and the salute of which, Tippoo, imputing to the want of address or skill in his ambassadors, put them both into prison on their return to Seringapatam. In truth, the nabob, Wallah Jah, wished not to offend Tippoo, and though, from the first, determined not to consent to the alliance (never having forgotten not to forgive the insult first offered to his family by Hyder Ali, who, having captured a sister of the nabob's, placed her in his harem) he gave the ambassadors no reason to suppose he would ultimately decline it. But, it will be said, why this secrecy? Why is not the marriage mentioned? why, at least, not hinted at? I will tell the hon. gentlemen, who look with such meaning and enquiring look,—Marriage is never mentioned in Hindoostan, nor forms part of a correspondence. The institution, and all that relates to it, is held so sacred and hallowed, that every thing regarding it is mentioned and designated under figurative expressions; *the affair*,—*the business*,—*the transaction*—are the terms used frequently to express it, as we find here. Can any explanation be more satisfactory? I challenge its contradiction. In No. 15 Tippoo seems to acknowledge the receipt of the last letter, as in this he desires further information, when they receive any. No. 16 is the translation of a letter from the ambassadors to Tippoo, in which they give him an account of their having administered an obligation sent by Tippoo, to the servants of the sultaun in the Jaumeh mosque. This is a very curious ceremony, and Wallah Jah's young

young sons went to see the grand spectacle ; near a thousand persons were assembled, and all the servants, " high and low," belonging to the sircar, were ordered to attend, to put on their best clothes, and to bathe themselves. Then Ali Rheza, with the Cauzy of the city, the Khuttub (or preacher) Sved Muhomed, *a man of great learning*, joined the gaping throng. After prayers, Ali Rheza asks the cauzy, and other persons of learning, who were present, to explain to the people present the contents of the Kor'ba, and the punishment for breaking any of the laws contained in it. The cauzy replies, that the contents were, the command of God to wage holy wars ; not to take flight in the face of an enemy, to form an union among the professors of Islamism, and other obligations of the faith ; then, after a learned exposition of the duty of servants, the engagement was made, by each of the servants, that they never would be guilty of flight from an enemy, of theft, of lying, of injuring, nor of any thing that belonged to treachery and ingratitude. Thus ended the ceremony, and a more innocent and laudable one can scarcely be conceived, nor the duties of religion or morality more properly enforced ; and yet this, I know, is stated as one of the great charges against the nabob, and that it is evidence of a religious union between the monarchs, to wage religious war against the English. Never was so absurd a supposition. And here it is remarkable, that neither Wallah Jah nor Omdut ul Omrah was present, which, if the meeting had been held for such a purpose, they would have been. Indeed, it has no more to do with them than with any of us. No. 17 is a fine specimen of Indian

poetry ; Omdut ul Omrah is said to be the poet, it is supposed to be addressed to Gholaum Ali Khan. This is a most curious document, written "*with a pencil, upon half a sheet of post paper, with an envelope of English paper.*" The translator has chosen to say it is Omdut ul Omrah's writing. This could have been easily proved, but it has not been attempted. But it is impossible it should have been sent to any one. What! a note written with "a pencil," enclosing a message to the saultaun, and a couplet to be repeated to him---the thing is wholly impossible. I will venture to say, no such departure from the ceremony of Eastern manners ever took place. But it is quite unnatural ; for the poetry, if excellent, is very innocent. I shall, therefore, waste no more time on it. No 18 and 19 introduce two new characters Mahomed Ghyaus, and Mahomed Ghoose Khan, new ambassadors, who, on the disgrace of the old ones (as it is generally believed, from their failure in accomplishing the projected marriage) are sent by Tippoo to condole with Omdut ul Omrah on the loss of his father, Wallah Jah. When I observe that Major Grant, the town-major, and the governor of Madras, introduced these ambassadors to the nabob, it is unnecessary to add much more : they had two interviews, the nabob sent them clothes and provisions, and a generous struggle took place on the occasion, nothing more passed, and away went the ambassadors, with the usual presents and compliments. I cannot discover what occasioned these two letters to be introduced, as little can one imagine what importance is attached to the two which remain, one written by the nabob, Omdut ul Omrah,

Omrah, (as it is said) under the name of Gholaum Hussein to Gholaum Ali Khan, and the other by Khader Nawaz Khan, to the same. The latter, of course, can have nothing to do with the nabob, but it is a mere letter of friendly wishes to the old ambassador. The same answer, however, as to any inference of improper understanding between the nabob and Tippoo, will apply to both, and I think it will not be an unsatisfactory one, when I inform the House, that at this very period, January, 1797, after a correspondence and too good understanding charged to exist between these two monarchs, neither the nabob, nor Kadu Nawaz Khan, knew that Gholaum Ali Khan, to whom they were addressing these letters, were in disgrace and confinement at Seringapatam, and that Tippoo, suspecting that Gholaum Ali Khan had, in his embassy, betrayed his interests, intercepted these letters written to Gholaum, having previously instructed his new ambassadors to conceal the circumstance; and this will account for their being found in the palace at Seringapatam. I think it is impossible to give a more complete refutation to the whole of this pretended conspiracy, than this statement of the conduct of Tippoo towards the nabobs; a conduct so wholly unlike the confidence necessary for co-operation, that it is undoubted evidence of the direct contrary. And now, Sir, let me ask the House, whether they can discern, in any of those letters, one symptom of treasonable correspondence, one feature of criminal intercourse?

But I shall be told, that I have forgotten the cypher---that I have purposely passed over this dreadful engine of treason, this unanswerable

proof of hostility to British interests. I can assure those who think so, that they are much mistaken. I would not rob the House of the amusement which the examination of this curious document will afford them. And first, I will ask the right honourable secretary for foreign affairs, whether he remembers an instance or a cypher, for the purpose of concealing hostile measures resembling this? and if not for this purpose, there is nothing criminal attached to it. Where are the symbols or characters of treason in it? One man it designates by the name of the friend of mankind, another by the distinguished in friendship; a third by the protector of the faith, and a fourth by that of nothing, or non-entity! Well, Sir, these have no hostile meaning in them. But then, there are two fatal words that can mean nothing else than war and destruction: there are the words, "*a similar and a saddle*." I must acknowledge, Sir, that both may be very hostilely employed, but by whom? by poor Wallah Jah, or his successor Canderul Omrah? Alas! Sir, British art and perfidy had not left them a single trooper to mount the saddle, or to gird on the scymitar with the exception of those terrific characters, there was not a symbol or character which could, by the most forced construction, designate any thing hostile; but it is an extraordinary circumstance, that the translator of this curious piece of mechanism, which was to deluge the Carnatic with blood, and to shake the English government to its centre, candidly confesses, that it is frequently very difficult to make out which is the cypher and which the key!

But, Sir, I might even, for the sake of argument, allow that this cypher

cypher afforded presumption of guilt, that it justified the suspicions which *after ten years* investigation, they have fixed on it, yet, how is it possible to affect the nabobs? Why, it is said, it was written by Omdut ul Omrah, and said to be given by him to K'ader Nizam Khan, who gave it to Ali Raza Khan, on his departure for Seringapatam. Who proves this? No one. In fact, he who receives it knows not from whom he got it, and does not even pretend that it was from Omdut ul Omrah, but from some one of Wallah Jah's ministers. But I have been told, that it is in Omdut ul Omrah's hand writing, and at the bottom of the key or cypher is a symbol designating "the hand-writing of Omdut ul Omrah," but how does this prove that he either wrote the cypher or the key? But that which dawns all possible inference of its being the work of Omdut ul Omrah, or of any person by his or Wallah Jah's directions, is, that the British government, having in their possession, or under their controul, the ministers of the nabob, at the time, and the ambassadors of Tippoo, have not dared to examine those who could give the most positive proof, if such was the case; and in any event could have proved the hand-writing of Omdut ul Omrah. But this, Sir, was not the wish of the British government; the development of the truth they feared; they *knew* there was no guilt, the more obscure the case, the better it would answer their purpose of substituting suspicion for proof; this was what they wanted, and in it they succeeded. Will any man doubt that such was their object, when I am enabled to refer my hearers to the information of the Commissioners,

that the translator commenced writing the evidence in the Persian language, but that he soon changed it for the English, "the evidence not taking the turn which they (the commissioners) expected!" But Sir, I will not consume another moment on this grand key-stone of their case, this curious and unique state paper, which I think deserves, equally with the treaty, a place in the archives of the British Museum!

Having gone through the whole of the written evidence in support of the charge against the nabob; and let it be remembered that the greater part are only *extracts* of letters. I will ask every man in the house, whether they can lay their hands on their hearts, and say, they believe the alleged treachery of the nabobs. But, Sir, when I refer gentlemen to the oral evidence in support of it, there cannot be two opinions, not only as to the guilt of the nabobs, in the house, but as to the belief of it in those who fabricated the charge. What will the house think of the prostituted character of British justice in India, when I inform them, (and refer to the papers on the table for the proofs) of the manner in which this examination was conducted.--The two witnesses were Ali Raza Khan and Gholam Ali Khan, the writers of the letters we have been examining. They were at that time pensioners on the bounty of the English government, and that government thought it not dishonourable to remind them of the dependent state, or to threaten them with the loss of its favour and protection, if their answers to the questions put to them were not correspondent with the views and expectations of the British government. In the course

course of the evidence, particularly in that of Gholam Ali Khan, we find this was not an idle threat when his replies suited the purpose of conviction, all was right, no objection was made; but when they had the remotest tendency to exculpation, or even to explain doubtful circumstances, the witness was stopped, was seriously admonished of the perilous situation in which he stood, and of the probability that he would lose the protection of the British government. More than once he was dismissed, and ordered to weigh well, *not* his evidence, not the truth of his depositions, but the situation he was placing himself in, if he spoke unwelcome truths! Yet all these menaces, from a power to whom these witnesses owed, not only protection, but the very means of subsistence, could not extort one contradiction to their testimony. They again and again declared, that the whole correspondence was mere unmeaning compliment, that the "business or affair" mentioned, was a proposition of marriage, which, not succeeding, they had fallen under the displeasure of their master, that there was no conspiracy against the British government, on the contrary, there was not even a good understanding between the monarchs; all was hollow, insincere profession.

For the honour of British justice, let me ask the right honourable baronet opposite to me (Sir John Anstruther) if he would have permitted a proceeding so disgraceful to have passed in his court, whilst he presided over the judicial proceedings in India? I will not dishonour him by the question as applied to the court in which he presided, but does he really believe that there is to be found any

inferior court, professing to administer British justice in India, where such a cold-blooded witness would have time for an instant endured? (Here Sir John Anstruther rose, and called to order: he said it was very irregular in the hon. baronet to make such repeated allusions to him; and he did not know what right he had to ask his opinion on the subject. Sir Thomas Turton maintained he was strictly in order; and the speaker decided there was nothing irregular in putting such questions in the course of argument.) Well, Sir, if the right hon. gentleman feels hurt at the reference, I will appeal to any lawyer in the house, if a judge in the lowest court of this country would have witnessed such treatment of an evidence, without the severest rebuke? Indeed, I may ask whether, on documents like these, supported by free, unbiassed evidence, any judge would have convicted the most abandoned culprit of the most trivial offence? Yet, Sir, upon no other than this, is a charge of treason made out, by which a sovereign is to be despoiled of his dominions, and his accusers and judges put in possession of them. If, however, these contemptible charges could for an instant be supposed to affect the character and interests of Omdut ul Omrah, how came they not to have been brought forward in his lifetime? Will the house believe that these pretended proofs have been upwards of two years in possession of the British government in India? If brought forward during the life of Omdut ul Omrah, they might have been explained or disproved, but on what principle, but that of the most wicked and tyrannous intent, were they reserved to greet his amiable

and innocent successor? Let me ask these great legal casuists, who can extract even the semblance of guilt from such despicable papers? (and of a guilt too which is to carry with it the extremity of punishment) by what distortion of argument they affix any part of it on his successor? How is he implicated in transactions of which he formed no part? they surely will not pretend it. How then do they justify the base act they have committed, in stripping him of his dominions, in humbling him to the dust, and of having ultimately precipitated him to an untimely grave? Sir, I should, indeed, have in vain sought for the reasoning on which this attempt is founded, if I had not felt it my duty to peruse the numerous publications with which the press has lately teemed on this subject, publications as disgraceful to the authors as they are injurious to the fame of their patron, in which the respectable authorities of Puffendorf, Grotius, Domat, and even of the immortal Locke, (Ah! little, Sir, did he dream that his authority could have been so prostituted!) are adduced in support of their monstrous propositions. There is one which stands pre-eminent in abuse of the accuser, of the noble marquis, honouring me with a notice, which, if the author writes from necessity excites my pity, if not, my contempt. In this noted publication the authority of Domat is quoted, to prove "that the damage done by the parent, the heir is bound to repair," and this is the justification deemed sufficient by the author for this act of violence and bloodshed—"damage done by the parent." What damage has been done? what injury has been sustained? Is there any attempt

to prove more than a conspiracy, an intent to do something, which *might have led* to injury or damage to the British interests. Prove your loss, and we will then, on these principles, set about repairing the injury. And is this the defence which the indiscreet partisans of the noble marquis think it prudent to advance? Is it "*tali auxilio, defensionibus istis*," that his cause is to be supported? As well might they have rested their defence on the fable of the Wolf and the Lamb. The principles of justice are not more glaringly violated in that memorable story; indeed, one must be struck with the exact resemblance of the cases. The wolf accuses the lamb of troubling the water of the rivulet at which they both drank, "how can that be," says the lamb, "seeing that the water runs from you to me." "Well then," says the wolf, "if it was not you, your father did it at such a time." "That could not be," says the other, "for my father was dead before the time you mention." "Oh! but," says theavenous monster, "if it was not your father, it was your grandfather, and I must take my revenge on you, and so saying, he ate him up. Such, Sir, was the dispute and result in the case I now submit to the house. Gracious heaven! and are crimes so atrocious, so abhorrent from the common feelings of humanity, to remain unpunished by a British legislature. Let us put a case, coming still nearer to ourselves:—Suppose a minister of this country, having in his possession what he conceived proofs of treason against the parent of any one who hears me, should wait to bring those proofs till the death of the parent, and then inform his heir, that, if he will not give

give the king, his master, fourthly, of his father's patrimony, he shall be despoiled of the whole; and, on the son's refusal either to brand his father's name with infamy, or to surrender his patrimony, proceed to put his threats into execution, what would be the general feeling of the country against such a monster? Would not the just indignation of the people, sacrifice him to their resentment, before he could obtain a trial? He would be torn piece-meal on his way to the tribunal, whose principles he had so glaringly violated. Are, then, the feelings of Britons lost or deadened by the distance at which the act is perpetrated? Do injustice or cruelty lose their horrors, or cease to excite our resentment, because the Atlantic intervenes?

Long, Sir, as I am sensible I have detained the House, yet there are two points more which I must notice before I sit down. The first relates to the charge against the nabob of the tuncaws, or assignments of the territories mortgaged to the company by the treaty of 1792. Sir, I have heard this stated as a forfeiture of the benefits of that treaty. Suppose it was—then the treaty was at an end, and the parties might either have contracted a new engagement, or remained without any. But did we so consider it? Did we announce such to be our intention? Did we not, to the very day of the death of Omdut ul Omrah, receive the payment of the instalments under this treaty? Is it not then clear what was our view of this pretext, which we now advanced as a ground of forfeiture, not of the benefits of the treaty, or of our protection, but of the territories of our ally to us? Is there any thing in that treaty

which says, that such was to be the consequence of the tuncaws being granted by the nabob? It was impossible there could be such an article. But there was a provision in the treaty which rendered it quite immaterial, whether tuncaws were granted or not, for, if the kists were not regularly paid, the districts were to be taken by us as mortgagees, and we were then to pay ourselves. Nay, in order to apprise the people of the Carnatic of the danger of their purchasing these tuncaws, we took care to publish this article of it. Is it, then, possible to suppose any one would deal in them? If they did, we could receive no injury thereby. But it is said, that the governors or Mirdas informed their masters that such was the case; and the company sent out orders to seize the districts. This is true; but it is no less so, that, inclined as they were, particularly so as Lord Hobart was, they never *did* seize them, this of itself was a proof of the falsehood of the allegation. The nabob positively denies it "*on the faith and honour of a sovereign.*" The regular payment of the kists for nine years, proves it still stronger; and the explanation of that, which they termed granting assignments or tuncaws, by the nabob himself, sets the matter wholly at rest. The other point relates to the assertion, or more properly the insinuation, that the nabobs of the Carnatic were not independent sovereigns. What do you mean by independent sovereigns? Do you mean that those only are independent princes, who can treat on terms of perfect equality with other sovereigns? If so, what were Austria, what Prussia, Naples, and other powers, when they treated with

with France, at whose feet they were? Yet who considered them in the light of sovereigns, with whom a treaty imposed no reciprocal obligations? But, in this case, in the independence was on either side. From the nabob we receive the jaghire I have before mentioned, it was a fact which enjoyed military sanction, and incurred no objection in the party receiving it, for, however the transaction was attended with something like demand, it was accepted by us as a grant. Time, indeed, Sir, we had made him dependent on us, and by influence and justice had persuaded him to disband his armies, and to confide in us for defence against our mutual enemies.

Sir, I am too well aware that I have been compelled, from the importance and extent of the subject, to trespass very long on the attention of the House, but if I had not anticipated many of the objections which I know will be made, and replied to many of the arguments which, I presume, will be advanced in justification of this act, gentlemen, who only heard them from my opponents, would consider them a satisfactory answer to my charge.

Sir, in the resolutions which I shall feel it my duty to submit to the house, I shall merely observe, that the greater part contain a statement of historical facts, and (as I presume) incontrovertible inferences, necessary to enable us to form an impartial judgment on the charge I have adduced; others contain a direct charge against the persons at the head of the government in India, and the last proposes, that this house should forthwith go into a committee, not only for the purpose of examining

into the proof of the allegations, but what I conceive, in a national view, to be of much more importance, to consider what reputation British justice requires for its outraged character, and what British interests demand for their future preservation in India. I pledge myself, Sir, to the House, to prove every statement I have made. Give me the committee, and the most partial of the noble lord's friends, will not have to accuse me that this charge is brought on slender or untenable grounds. If they refuse me the committee, what will the public think? Will they not naturally conclude, that they dread the investigation?—that they fear the result?—It is impossible that they should think otherwise.

Before I sit down, let me conjure the house, as they regard the national honour and faith, let me conjure ministers, as peculiarly the guardians of the national character, let me intreat every man who hears me, in the name of those sacred principles of justice, eternal, immutable, universal, the great and valued gift of God to man—the foundation of his happiness here and hereafter, to pause before he gives his vote from personal attachment, or political connection, not rashly to decide on a question which involves not only the honour and character, but the future interests, of our government in India. It is plain that the native princes can have no attachment to us; they have experienced from us nothing but tyranny, injustice, and oppression. In 10,000 Europeans were to enter India, I am persuaded our empire there would be shaken to its centre. The Mahrattas, the peishwah, the nizaru, the nabob of Oude, every prince, who in his

turn

tain has been robbed by us of part of his territories, or whose independence has been outraged by our interference, would, in such a case, unite against us. Ours is the government of the sword only, that may be destroyed by the sword. Look at our situation in the Doab, where Doondcah, a petty zemindar, is actually setting at defiance our efforts to subdue him. Sir, there is only one way to establish our power in India on those bases which will give us real security. Let us substitute for injustice and oppression, honour and moderation, let us strive to win the hearts, not to subjugate the persons, of the native princes; let us return to the system pursued and inculcated by Lord Cornwallis, even up to the moment when death robbed us of his valuable services, a system comprised in a very narrow compass — *justice and good faith*. With such a system we may preserve India, without it, I am satisfied we shall lose it. In the one case, the British government will be a blessing to the natives, in the other, a curse.

Sir, I shall trespass no longer; but move the following resolutions

Resolved, 1. "That it appears to this house, that Mahomed Ali, otherwise called Wallah Jah, nabob of the Carnatic, was an ally of the East India Company, and under a vicissitude of fortunes, attendant on the introduction of the British power in India, adhered to the British cause, when it was endangered by the contending interests and arms of France, that under a just sense of the services so rendered by Mahomed Ali, and with the especial view to prevent all future controversy with respect to the succession to that kingdom, an acknowledgment of the right in the person of the nabob, Mahomed Ali, and in his heirs and successors for ever, was procured in the treaty

concluded at Paris in the year 1763, and formerly recognized therein by the powers of England and France — That at various times since, the East India Company have entered into divers agreements and treaties, through their governments in India, with Mahomed Ali, under the character and title of nabob of Arcot, or of the Carnatic, for the express purpose, and with the avowed intent, of defending, jointly with their own, the title and rights of the said nabob; and especially in two treaties concluded in the years 1767 and 1792, the latter of which purports to be a treaty executed on behalf of the East India Company, then heirs and successors, and to be mutually binding as well on them as on his highness the nabob Mahomed Ali, and his successor, his eldest son Omdut ul Omrah, and his heirs and successors, that such treaty of 1792 remained in force and as such obligatory on the contracting parties, at the death of the said Mahomed Ali, which happened in the year 1796, who at his death was succeeded by his said son Omdut ul Omrah — That the said Omdut ul Omrah died in the month of July, 1801, without any alteration or modification of the said treaty having been made in his lifetime.

2. "That it appears to this house, that the said nabob Omdut ul Omrah made a will, or testamentary writing, by which he appointed his son, the prince Ali Hussein, Tag ul Omrah, &c his heir and successor in the dominions of the Carnatic. An instrument which is admitted by the British government in India, to have been competently executed, and in form, disposition, and principle, consonant to the Mahomedan law. That by such will the said prince Ali Hussein, became on succeeding to the rights of his father, a party to the treaty of 1792, which expressly included the heirs and successors of the said Omdut ul Omrah, and in virtue thereof entitled to the benefits, and bound to the observance, of all the terms and conditions of such treaty. That the said prince Ali Hussein, on his accession professed his readiness and determination, strictly to fulfil all the obligations of the said treaty,

has been pressing in that part of India for the last thirty or forty years, the corruptions, the abuses, the iniquities, that have prevailed there, but must have foreseen that a measure calculated to eradicate those corruptions, to frustrate the hopes of avarice, to blight for ever the harvest of plunder and extortion, would have to encounter a host of foes, and be assailed by detraction in every form. But to me, Sir, and I trust equally to the House, such enmity is, in fact, its best recommendation; it is a proof that it has effectually accomplished one of its most important objects, an object dear to the interests of humanity, and the happiness of millions, by destroying a system the most baneful that ever existed, to which not your resources only, but the country itself, and its inhabitants in all their gradations, were the victims, which degraded the prince, which impoverished the landholder, which oppressed the peasant, which drove labour from the field, and industry from the loom, which depopulated the provinces, and spread desolation and misery over the whole face of the land.

But much, Sir, as humanity, much as policy might be interested in the extinction of such a system, had they been the *only* grounds of the great measure adopted, however convinced I might have been of the soundness and the validity of each of them, I will readily own I should have thought the justification they furnished incomplete and unsatisfactory. I am too well aware of the danger of such alleged principles of action, and the abuse to which they directly tend. it is not on these grounds that a pretence of right is founded, it is on the vio-

lation of every tie of public faith, gratitude, and friendship, on the contempt of the most solemn engagements and binding duties of alliance, connected with a sympathetic conduct of unequivocal hostility on the part of the nabobs of the Carnatic, supported by facts no man can deny, established by inferences no man can dispute, that the rights we asserted test, and that this measure was embraced by those to whom the care of the British interest in the East was delegated, and whose first duty it was to maintain and protect them.

The speech of the honourable baronet, and the resolutions, convey but a very imperfect outline of the transaction before us, from the documents on your table alone can the real nature and character of it be collected. From them it will appear, that, owing to the perfidious and hostile conduct of the successive nabobs, Wallah Jah and Omdut ul Omiah, it became the right, and was consequently the duty, of the British government to provide for the security of its interests, as connected with the Carnatic, the intended exercise of this right having been evaded by the death of the latter, and not acceded to on the part of his natural heir, Ali Hussein, the usual course of succession was changed, and another prince of the same family raised, by our power, to the throne. The considerations arising out of this statement obviously divide themselves into—the rights we possessed, the duty of exercising those rights, in the manner and to the extent in which they were exercised; and, lastly, the circumstances with which the exercise of them was attended.

Before, however, I proceed to discuss the points I have adverted

so, I feel myself under the necessity of detaining you for a few moments, to refer to the state and origin of our political connection with the nabobs of the Carnatic, because I am desirous of correcting some impressions on that subject, which the honourable baronet's speech seemed calculated to convey.

Those who are acquainted with the history of India, know that the family of Wallah Jah had no hereditary claim to the situation of nabob of the Carnatic, that the way to the musnud was opened to Anwar u Dien, his father, by the means of two assassinations, of which he was not supposed to be wholly innocent. This prince afterwards sunk under the united arms of the French, and the soubah of the Deccan, and fell at the battle of Amboor, where his eldest son was, at the same time, made a prisoner, while his second son, Mahomed Ali, (known subsequently by the name of Wallah Jah) fled, stripped of every thing, to the fortress of Trichinopoly; a new nabob was immediately appointed by the victorious party, and the fortunes of the house of Anwar u Dien seemed to be forever extinguished. In vain did Mahomed Ali proclaim his pretended title to the succession, in vain implore the friendship of the French, by whom his rival was avowedly supported. His last resource was to solicit the protection of the British government. Fortunately for him, our situation at that moment, and the necessity of preserving our own existence in the peninsula, forced upon us that of resisting the increasing power and ambitious projects of France. We extended to him, therefore, the protection he solicited, and how we performed our part need not

now be told. After an arduous and glorious contest, success crowned the British arms, and the consequence of that success placed Mahomed Ali on the musnud. Having thus raised him from the dust, and, in an evil hour, given him the possession of a great and flourishing kingdom, having procured the recognition of his title both in India and in Europe, it is not easy to conceive what services he could render that were more than adequate to those he had received. Less than fidelity and attachment to the power which had retrieved the fortunes, and revived the splendor and power of his house, less than a full participation in the resources of the country, gained by our arms, to the extent which might be necessary to maintain the common interest of its defence, we could not, in justice to ourselves demand, and more we did not claim.

This, Sir, is the language of all the treaties concluded with this prince, and these the conditions of all his claims to the support which he invariably experienced from the British power.

It is not my intention to enter into any details relative to what has passed during the connexion which has so long subsisted, or to give you a history of the intrigues, the corruptions, the impatience of our power, the struggles for independence, and the unprincipled ambition, which have been exhibited on the part of the nabob, neither do I mean to detail the instances of his faithlessness to all his engagements, which have, in every war in which we have been engaged, embarrassed the progress of our arms, and more than once brought our affairs to the very verge of ruin, but I shall come at

at once to what bears more directly upon the subject of our discussion, I mean the treaty concluded by Sir Archibald Campbell in the year 1787 --- That treaty was in part pecuniary, and in part political. It provided an annual sum for the discharge of the nabob's debts, and for a large military subsidy, for which it appointed a landed security, and it precluded him from entering into any political negotiations or controversies with any state or power, without the consent or approbation of the president in council of Fort St. George.

The alleged distresses of the nabob, and the difficulties he professed to feel in fulfilling his pecuniary engagements, induced Lord Cornwallis to consent to a revision of this treaty; and, in consequence of that revision, a new treaty was concluded in 1792, between the British government in India and Mahomed Ali, known by the name of Lord Cornwallis's treaty. By this engagement the nabob was relieved from a large proportion of the burden of his payments, and his son, Omdut ul Omrah, was acknowledged as his successor. For this modification of our rights,—for this relief of the nabob,—what was our compensation? A recognized power of assuming the civil and military administration in time of war, which we had before really possessed, and practically exercised, a security supposed more efficient, for the regular and permanent discharge of the military subsidy, and a renewal, in more precise terms, of the article precluding all political correspondence between the nabobs of the Carnatic and foreign powers, without the knowledge of the British government. This treaty, exhib-

iting on our part nothing but consideration for the situation and feelings of the nabob, and giving us additional claims to his attachment and gratitude, was scarcely concluded, before it was wisely violated, not in its letter merely, but in its vital spirit and fundamental principle. While it was yet actually negotiating, the nabob will be found to have commenced a correspondence, not with an allied or friendly power, but with Tipoo Sultan, the sworn enemy of the British nation, with whom peace was only a repatriation for war, and the undisguised purpose of whose hostility was the total extinction of our name from the peninsula of India. When this man did the nabobs, Wallah Jah and Omdut ul Omrah (both parties to the treaty of 1792) while the ink was yet wet with which they signed their engagements to be faithful to us; in contempt of that solemn tie—in defiance of every condition by which then power was enjoyed; with this man did they solicit communion and correspondence, to his projects did they become accessaries, and for his successes did the aged Wallah Jah (as he tells us) weary heaven with petitions! Successes which could only be obtained by our loss, and triumphs which could arise only from our humiliations and defeats!

What rights such perfidy, when detected, confers, I shall discuss presently.—The first question is, Whether there is sufficient proof in the documents before the house to establish the charge?

I remember, Sir, a right hon gentleman, (Mr. Sheildan) who formerly called our attention to the subject of the present discussion, and on whose powerful aid the hon. baronet has told us he places

his

his chief reliance in this day's conflict, when addressing you on one of the preliminary discussions relative to the production of papers, implored the house to weigh well the delicacy of the situation in which it stood, in coming to the consideration of this transaction. Who, he asked, was the accuser?—The British government. Who the judge?—The British government. To whom accrued the benefit of the conviction?—The British government. This, Sir, is true; and I hope that, with these impressions, and with an honest wish to decide without prejudice, I entered upon the consideration of it. I know not what credit I may have with the hon. gentleman, when I declare the result of that consideration to have been, a conscientious conviction that the charge against the nabobs was substantiated. I do not mean that the evidence is such as the strict accuracy of a British court of justice might require; but that there arises from it that degree of presumption on which nations have universally acted, and on which nations must act, if they have any regard for their safety. The evidence is of two kinds—partly to be found in the correspondence, and partly in the conduct, of the nabob. The first part I shall consider is the correspondence.

After the fall of Seringapatam, it is known that all the papers of the sultaun fell into the hands of the British government. In these papers were discovered the various negotiations in which he had been engaged with different powers, and amongst them, a correspondence implicating the nabobs Wallah Jah and Omdut ul Omdah, carried on through the vakeels who attended the sons of Tippoo when hostages

at Madras, for the performance of the conditions of peace, in 1792.

Of the authenticity of these papers, the hon. baronet has not ventured to express much doubt. In fact, Sir, they are so recognized by the evidence of the vakeels themselves, through whom the communications passed, that it is not necessary to rest on the circumstance of their transmission by the governor-general, whose authority, independent of that circumstance, I would not condescend to balance against the supposition of the khans, that, it was possible, they might have been introduced among Tippoo's papers by enemies of the nabob Omdut ul Omdah.

Assuming, then, their authenticity, they prove, in the first instance, that a correspondence *was* carried on between Tippoo Sultaun and the nabobs of the Carnatic, through a secret and unavowed channel.

Fully am I aware of the spirit of intrigue prevailing among the princes of India, and I admit that a correspondence, which, in Europe, would infer a violation of every tie of honour and good faith, may not, in the native courts, be always liable to such an imputation, but, to that I must answer, that the British government was known to act on other principles; that it was known to apprehend danger from such correspondence; that it had anxiously precluded them in two successive treaties; and that the nabobs had every reason to be sufficiently conscious of the interpretation we should put upon, and the indignation we should feel, at the discovery of such clandestine intercourse.

The first observation, then, that presents itself, is, that any correspondence

pouder between the parties in question was at least a ground of grave suspicion. Next, that a correspondence carried on in defiance of the warnings arising out of the treaties, and with a certainty of the feelings that would be excited by the detection of it, could not be one of idle form or empty compliment, that it must have had distinct objects, and objects of an interest commensurate to the risk incurred, objects which demanded secrecy, and rendered the precautions resorted to not superfluous, that this correspondence must therefore have been of a nature not less important in itself than inconsistent with the relations of good faith, common interest, and friendly connection, in which the nabobs stood towards the British government. Such, I say, would be the intention, from the very existence of a secret correspondence between parties so circumstanced as the nabobs and Tippoo Sultan.—The one, originally, united to us by every tie that can be supposed binding on man; the other, instigated by the most inveterate hate, and in the very act of meditating, if not preparing, hostilities against us.

If this inference be a just one, the object of enquiry is, next, whether there is any thing in the contents of the papers themselves to invalidate or destroy it, or whether they are not (as I think they will be found to be, when fairly examined) calculated to confirm and support it,—and when combined with subsequent events, to establish it beyond the possibility of refutation?

The hon. baronet has objected to these papers as being extracts. It is true, Sir, they are so, but that they are fairly taken—To the

general truth of what is related (though the expressions of personal regard may be, as indeed they are said to be, occasionally heightened) the very situations in which the vakeels stood, bear, as well as their subsequent examinations, ample testimony. It is scarcely possible to imagine a statement, generally speaking, more to be relied on, than one made by ministers without any visible interest to deceive, intended for the guidance of their sovereign's conduct, and of a sovereign too of the character of the sultan, whose vigilance would probably have detected, and whose arbitrary and cruel disposition would have led him to punish, any material deviation from the truth, with the last and most exemplary severity.

But to come to the papers themselves.—It is with regret I feel that the hon. baronet's speech has imposed upon me the necessity of entering into a detail that may be fatiguing to the house, but I can assure gentlemen that I shall detain them no longer than may be absolutely requisite to do justice to the cause I am supporting, and will call their attention to those points only which appear to me most important in directing our judgment, and which are generally confirmed by the concurring testimony of the witnesses examined at Vellore.

The first paper with which this singular correspondence commences, relates to two separate conversations which appear to have taken place between the nabob Wallah Jah, and the vakeels of Tippoo, on the 10th and 13th of June, 1792. It should seem, that from the events that had taken place in the course of the last years, the nabob entertained some doubts of the

the manner in which his proposition might be received, and that some management was requisite in the introduction of it, he therefore begins by an address to the ruling passion of Tippoo's mind—his bigotry and ambition to be universally considered as the chief pillar and champion of the Mahomedan faith. In this character the nabob directs his address to him, and follows up his expressions of attachment to the faith, and to him the protector of it, by reprobating as a confederacy formed for the subversion of religion, the war recently concluded, a war (if ever there was one), strictly just and defensive on our part, and deriving its origin from the unwarrantable aggressions of the enemy. Then, after adverting to the events of former hostility as past recals, the nabob declares his desire to establish a cordial harmony with the sultaun, and earnestly solicits the vakeels to forward his purpose, as pregnant with great and numberless benefits to both parties. Thus, Sir, is laid the foundation of this extraordinary correspondence, an intercourse between the nabobs and the sultaun.

The subsequent conversation is said to have passed in the presence of Lord Cornwallis. His expressions of attachment to Tippoo—his dislike of the war—are both expressed indeed, but expressed in more guarded terms. The circumstance, however, to which I particularly wish to call your attention in the conversation, is this, that not one syllable is breathed which indicates the connection he had proposed in the former one. If, as it has been pretended, this was perfectly innocent,—if he was acting only in conformity to the wishes of lord Cornwallis, and this

connection was held out merely to conciliate the sultaun, without any serious intention attached to it, why this diffidence? why the suppression of all mention of *that* which, if known, could, on these suppositions, be known only to his advantage?

The next letter on which I wish to fix your attention appears marked No 4. In this also a conversation is related between the nabob Wallah Jah and the vakeels, in which the former, after again connecting the sultaun with the cause and maintenance of religion, and praying to God to preserve him victorious and triumphant, is represented as adverting to his former conversation, and the proposition he had offered, and inquiring if the vakeels had communicated it to the sultaun, and had received a *favourable* answer. They replied, they had communicated it, and then proceeded to convey the answer with which they were charged, and which amounts to a ready acceptance of the proposition, on the ground of that friendship which ought to subsist amongst the professors of the Mahomedan faith.

It is at least manifest from this letter, that the nabob attached an interpretation not quite consistent with barren compliment, to the proposition which he had hazarded. Had he felt that it was in the common course of complimentary intercourse between princes; had he felt that in that light the sultaun would have received and interpreted it, why this solicitude for an answer, which, in its nature, could be nothing but an echo of his own idle and empty compliment? The following letter still more confirms my inference, and shows that in the mind of Tippoo,

no more than in that of the nabob, was the proposition in question considered as mere unsubstantial illusion

This is a letter from Tippoo Sultaun to his ministers, expressive of his sense of the friendship of the nabob, and the kindness shewn to his son, with the strong intimation of his hope, that the nabob would do whatever may tend to the support of the religion of Mahomed

What precise expectation this is intended to convey is beyond my power to ascertain with distinctness; but the nature of the services looked for may be, in some slight degree, conjectured, as well from what is deemed generally necessary to the support of the cause of the Mahomedan faith,—namely, the co-operation of all Mussulmans for the destruction of infidels, as from the known views and sentiments of the sultaun, and the services we shall find hereafter to have been actually rendered to him by the *unquestionable fidelity* of this our ancient and trusty ally.

Notwithstanding the contempt with which the worthy baronet has affected to treat the correspondence generally, he has vouchsafed, not without reason, to honour the next paper with a considerable portion of his attention, and laboured, if not successfully, certainly zealously, to destroy the effect which such a paper cannot fail to produce. It professes to be the key to a cypher—it bears the strongest internal evidence of having been contrived for a correspondence embarrassing political subjects, and is authenticated by the signature of Omdut ul Omrah himself.

Ali Rheza Khan, one of the va-keels, gives you the history and intention of it. He is asked if he ever saw the paper? he says, “I have; it was instituted by Wallah Jah for the purposes of secret communication, and the original, I believe, is written in pencil by Khader Nawaz, or some person about the nabob Wallah Jah.” He says afterwards, “To my knowledge it was never brought into use, it having been intended for use after the departure of the hostages, in case of necessity.”—Again, “It was delivered to Gholaum Ali Khan by Khader Nawaz Khan, and to me at my departure (to Seingapatam) by Gholaum Ali Khan, who told me it had been composed for communication between Tippoo Sultaun, and the nabobs Wallah Jah and Omdut ul Omrah. That a copy should be given to Tippoo, and the original brought back to Madras. Tippoo Sultaun, however, kept the original.”

No one will feel surprise that some pains should be taken to discredit and invalidate this fatal document, but till the ingenuity or eloquence of the honourable gentleman can erase the contents of it, till he can rail away the signature that authenticates it,* or completely pervert the course of human understanding, here it remains, and will ever remain, an inefragable testimony of the faithlessness and duplicity of which it was devised to be the instrument. In his endeavours to throw discredit on this document, the honourable baronet has resorted to the observation of the key and the cypher being upon the same paper.

* It is to be observed, that there is no signature to the alleged cypher. There is an error in this particular.

The very mode, Sir, of its transmission, in the course of which it was to pass only through the most confidential hands, may sufficiently account for this circumstance. It is said, too, to be so awkward and ill-contrived, that it never could answer the purposes of secrecy. Be it so, be it as wanting in ingenuity as it will. What is its ingenuity to the purpose? Ingenious, or otherwise, it is still a cypher, and no cypher is instituted except with the intention of concealing what is supposed to require concealment.

Were the evidence drawn from written papers confined to this document, coupled with the details already adverted to, and combined with subsequent circumstances, I should think it far from inconsiderable. Had we no more than this, I say, it would warrant, not simply a suspicion, of the most faithless designs, but would amount, if not to a literal infraction of the subsisting treaty, at least to a virtual violation of the vital spirit of it, and justify the adoption of measures for the protection of our rights and interests in the Carnatic, from the injury to which they might be exposed by the infidelity or treachery of our ally.

About this period it appears that Ali Rheza Khan made a journey to Seringapatam. On this letter I shall not detain you with any remark, beyond calling the attention of the house to the journey adverted to, and the period at which it took place. I proceed, then, to the two which follow. They are from Tippoo to the nabobs Wallah Jah and Omdut ul Omdah. They contain little more than professions of regard and mutual observation, only on account of the application of some of the designations in the

cypher, as the *well-wisher of mankind* to the nabob Wallah Jah, the *distinguished in friendship*, to Ali Rheza Khan.

The harmony and union being thus, Sir, established, the letter we now are to consider begins to display the fruits of it, to this I shall join No 12, because the observations applicable to that immediately before me are, in a great degree, applicable to both.

Before I proceed to the contents of these two letters, I beg to be allowed to put it to every man who hears me, with what impressions he would learn, that a person who had received the most substantial benefits from this country, who, maintained by its bounty, and existing but by its protection, after soliciting and establishing a secret intercourse with a foreign power, had been detected in conveying to it intelligence, and suggesting councils for the government of its measures at a period too, when, though nominally at peace, it was known not only to entertain the most inveterate enmity toward us, but was suspected of actually preparing to give effect to that enmity? Suppose, for instance, that one under these circumstances had been detected, at any time, in writing to the French, or any foreign government actuated by feelings similar to those of France, in terms of this kind — “The conduct you are pursuing excites suspicion — be more cautious — this is not the moment to commence hostilities with any prospect of advantage. There is now a minister who enjoys the confidence of the country — who is capable of calling out all its resources, and directing them against you with energy and success — wait a little — symptoms of a change in our councils manifest themselves,

themselves, and there appears the chance of a successor the very reverse of the minister I have described when this change takes place, you may prosecute your hostile purposes without apprehension!" Is there a man who would not feel that such counsel must be intended for the benefit of the adverse power, and that it spoke the language, as it betrayed the heart, of an enemy and a traitor?

HAVING made this observation, I beg the attention of the house to the letters in question. They relate to two messages conveyed through Khader Nawaz Khan, a person enjoying a great share of the confidence of the nabobs of the Carnatic. Tippoo, as it seems, was endeavouring to excite and combine all the Indian powers against us; while in the prosecution of this object, the activity of his negotiations at Poonah alarmed the vigilance of the British resident, who immediately apprised the supreme government of his suspicions.—This comes to the knowledge of the nabob; and what is the conduct of our *faithful friend* on the occasion? He proceeds directly to communicate the intelligence he had received to the sultaun, advising him, at the same time, in the spirit of that cordiality by which they were united—to do what? to lay aside, no doubt, his hostile designs, to cultivate friendship, and preserve peace with the British power?—No, no, quite the reverse. The advice of this our incomparable ally, is of a very different complexion (in conformity, no doubt, to the British interests and the views of its government) it prudently suggests to the sultaun the policy of *suspending* his measures till the approaching departure

of Lord Cornwallis should leave the field open to him, to act with safety and effect, and then, whatever might be *his highness's pleasure would be right and proper*! Such is the purport of the first message. The second contains also similar information and counsel, relative to the situation of the French at Pondicherry. Nothing is now, says the nabob, to be expected, and, following the impulse of his friendship towards the sultaun, he advises him, not as one should expect, to detach himself from his dangerous connection with the French, but to communicate with them less directly—to refrain, for the present, from open correspondence, and to confine his intercourse to verbal communication. To the nature of that intercourse we must, therefore, conclude the nabob to have been no stranger, and his suggestion the result only of his interest for its safe continuance, without interruption or observation from us, an intercourse doubtless most friendly to the British power! between parties such as Tippoo Sultaun and the French, how could it be otherwise?

Though the obvious connection of the two letters I have just commented upon, led me for a moment to pass the one that intervenes, I cannot consent to leave it entirely unnoticed, containing, as it does, a message from Omdut ul Omrah, in his own name, expressive of the most fervent attachment to the sultaun, followed by a promise, that, please God, at a proper time, *his fidelity should be manifest*. I notice it, first, because it shews how cordially Omdut ul Omrah acted, not merely as the minister of his father, but as a substantial party in this negotiation; and still more, because,

because, in this promise so given, will be found the key to his subsequent conduct. It will hereafter be seen, when the occasion did occur, how he remembered the pledge he had given, and redeemed it with but too faithful punctuality.

The secrecy, that is one of the striking characters of the whole transaction, now increases in an extraordinary degree. New precautions are devised, and the interviews with the vakeels (which had never been hitherto subject to any restriction) are covered by fictitious pretences, totally foreign to their real object.

The letter I next refer to, relates a meeting to which the vakeels were invited, under pretence of seeing a mosque, but for the real purpose of learning something of a secret nature, which the nabob Wallah Jah had long felt a wish to convey to them, the interview takes place in a tomb near the mosque, and a question is put to them by Omdut ul Omrah, whether they had full powers? Being satisfied on that head, he proceeds to deliver to them a message in the name of Wallah Jah. "That for a long time there had been, without a cause, a veil (or want of cordiality) between his highness and your majesty, which had been productive of injuries to both, but now that, by the favour of God, a system of harmony, such as is becoming among the professors of Islamism, had taken place, his highness confidently hoped from God, the prime cause of all, that the time past might be amply redeemed, that for his highness's own part, considering, from his heart, himself, his country, and his property, to belong to your majesty, he had made it a testamentary injunction to his children and family,

taking God and his Holy Prophet to witness, to pray night and day for the pillar of faith (that is to say), your majesty, and to consider their prosperity and welfare as inseparably connected with your majesty; that we must ascertain your majesty's wishes on this head, in a manner satisfactory to both; and if your majesty should be, from your heart, solicitous of this proposed cordial harmony, his highness would, under the testimony of God and his prophet, detail to us his sentiments fully at the time of our departure, which, please God, would soon take place."

Without adverting to the marriage, which is said to have made at this meeting the subject of a separate conversation with Gholaum Ali, I must remark that, either there is a strange confusion in this message, or the words friendship, harmony, &c. must be understood in more than one meaning.

The following letter describes also a similar meeting in a garden, under an equally fictitious pretext, with this difference, that it was solicited on the part of the vakeels. Omdut ul Omrah is there stated to have conjured them not to commit to writing some expressions he used, saying, that he so expressed himself *out of regard to the faith, and his friendship towards the protector of it*. In the last paragraph of this letter it is mentioned, that they had induced Omdut ul Omrah to lay the foundation of the connection by marriage. To those who refer to this letter it will be clear, from the manner in which the marriage is mentioned, that whatever was conveyed under the mysterious expressions that were not to be committed to writing, it had no reference or connection with the marriage.

marriage The marriage, if at all a subject of negotiation, was entrusted exclusively to Gholaum Ali Khan. It is stated that a negotiation for marriage is a matter of much delicacy among the Mahomedans, the nabob, therefore, would certainly not propose to treat on it with both the vakeels jointly. It appears, besides, that separate consultations took place between Omdut ul Omrah and Gholaum Ali Khan, at each of these meetings, said to be in relation to that subject, but we learn from the evidence of Gholaum Ali Khan, that what they were conjured not to commit to writing, was communicated to both. The short extract from a letter of the sultan, too, is a confirmation of this argument, and seems to leave no question of the marriage and the subject of these confidential expressions to be totally distinct. He directs them to inform him of the expressions of Omdut ul Omrah, and *the thing you know of*, which is explained by the evidence always to mean the marriage.

What then was the purport of these expressions? Ali Rheza says, it was confined to professions of attachment, and to information relative to the French. Now, Sir, it cannot be forgotten, that both these had been long before communicated and written, and could not, therefore, require that solemn injunction of secrecy that was imposed. We are thus reduced, I say, to the necessity of doing one of two things—either totally withdrawing our belief from Ali Rheza Khan's account of what passed, or, in admitting the truth of it, to admit that under the words, friendship, attachment, and regard, was veiled a sense little corresponding, in point of comprehension and effect,

to that in which they are usually accepted.

The ceremony, which is related in the ensuing letter, as having taken place under the immediate directions of the sultan, in the Jaumah mosque, does not immediately involve either Wallah Jah or Omdut ul Omrah, as the younger branches of the family appear to have been alone present.

The delivery of the hostages, and the return of the vakeels to their master, took place in the interim between the date of this letter and that of the one which follows,—a letter, in some points of view, of considerable importance. It is addressed to Gholaum Ali, under the fictitious signature of Gholaum Hussein, but written in the hand of Omdut ul Omrah. The difficulty and danger of communication sufficiently accounts for the purport of it being so little detailed, but those who have attended to the preceding letters will easily trace in it a continuation of the former expressions of attachment, founded on the same basis, the maintenance of the Mahomedan faith, so well adapted, and so conciliating to the spirit to which they were addressed. Repeat this couplet, he says, on my part, to the sultan —

In the preservation of thy person is the perpetual permanence of the faith.

Let him not remain who wisheth not thy preservation

How unlike is this to the coldness of the avowed letter of form, written on the same occasion,—namely, the marriages of two of the sons of Tippoo, and transmitted through the British government. “I have received,” says the nabob, “your letter, informing me of the celebration of the wed-

weddings of Abdul Khaleh and Mohammed Moiz ud Deen, together with a dress and jewels, and I am made happy beyond measure by this agreeable intelligence; may the Almighty render this event happy." How impossible is it not to be struck with the marked difference of the sentiment of the couplet from the style of the letter I have just read, and why this difference? Why? but that one is intended to convey what the other is intended to conceal.

In the year 1795, the nabob Wallah Jah died, and Omdut ul Omiah succeeded to the musnud. An embassy, charged with the compliments usual on such occasions, was sent by the sultaun, the letters, No 18 and 19, are from the ambassadors, but there is nothing related, except one long conversation about union and friendship, on which his highness is said to have expatiated with great warmth. It is, indeed, stated, that the vakeels employed on this occasion were not persons to whom a negotiation of much delicacy was likely to be entrusted. At the same time, we must observe, that the following letter from Omdut ul Omiah makes a reference to his communications with them, as if something had passed connected with the former intercourse. This letter is, like the other, marked with the fictitious name of Gholaum Hussein, and addressed to Gholaum Ali. The introduction of it is material only on account of the reference I have stated, and as it carries on the existence of the correspondence to so late a period preceding the Mysore war.

The impression of the nature of that reference is forcibly confirmed by the subsequent letter from Khader Nawaz Khan, the confidential

minister before alluded to, whose name appears more than once as the channel of communication between the nabobs and the vakeels. Adverting in this to his previous services, he congratulates himself, and thanks the Almighty, that the system of harmony and union between *the two chosen of the Lord*, (meaning Tippoo Sultaun and Omdut ul Omiah) calculated to promote the happiness of God's people, and which his labours had been employed in establishing, had acquired the requisite degree of stability and firmness. The authenticity of this letter is fully supported by the oral testimony; nor is there any thing that has a tendency to invalidate the obvious inference resulting from it. It stands, then, as a convincing testimony, that whatever that mysterious and enigmatical connection, established under the name of union and harmony, really was, it was in force and operation up to the year 1797; that the same sentiments which impelled Omdut ul Omiah to participate in, and conduct the intercourse during the life-time of his father; the same supposed interests, the same attachment to the cause of the sultaun that had previously governed and animated his exertions, accompanied him, undiminished, to the throne, where he waited only for an opportunity favourable to his friendship, and an emergency, in which the fidelity he had solemnly promised could be manifested with effect.

On the degree of conviction resulting from these documents, much must depend. The inference I have just deduced, the conclusions I have drawn, the impressions I have endeavoured to enforce, I must leave to the judgment of the House. I can only

say, that to mine they are decisive; and that each suspicion the existence of such a correspondence excites, appears to me to derive validity and confirmation from every step and advance in examining its contents. All the facts they discover are so far from being weakened by the oral evidence, (if, indeed, such evidence could weaken the authority of any written documents) that they are more distinctly corroborated and established. By what has been stated from the papers, as well as by the concurring testimony of the vakeels, it is proved, that a correspondence embracing political objects was carried on; that a connection, under the mysterious and indefinite terms of union and harmony, was proposed on the part of the nabobs of the Carnatic, and accepted by Tippoo Sultaun, that for the purpose of continuing their correspondence, when the departure of the hostages should remove the existing channel of it, a cypher was instituted, that in prosecution of this connection, assurances of fidelity had been given to Tippoo, and intelligence conveyed to him, accompanied with advice for the regulation of his conduct, that in these transactions the utmost precautions of secrecy had been deemed necessary, and the interviews held with the vakeels had been covered with fictitious pretences, and, lastly, that the connection, whatever it *precisely* was, (for of its nature little doubt can be entertained) actually subsisted in full force, integrity, and operation, in the year 1797.

It has been endeavoured to defend this correspondence, and to rescue it from the impressions, it is obviously calculated to produce, by an explanation resting in part

on a connection of simple friendship, and in part on an alliance by marriage, at one time in agitation between the families of the sultaun and of the nabob Wallah Jah. On the fullest consideration of this explanation, I own I have found myself unable to accede to it: the difficulties it presents appear to me insurmountable. If it be possible to suppose a desire of mere friendship, without an object, between persons so situated in relation to each other, if Tippoo Sultaun and Wallah Jah were likely to feel the influence of a pure, disinterested, sentimental attachment, it is yet hardly probable, that a connection, on this ground, should have been solicited with so much earnestness and anxiety, as is manifested by the nabob in the first proposition of it, or an intercourse entered into by him at such mighty risks; nor is so innocent a view of the subject quite consistent with the secret meetings, the various precautions for concealment, the intelligence conveyed, and, above all, with the preparation and transmission of the cypher before adverted to. If, indeed, it is that union and friendship, which, as it is said, ought to bind together the Mussulman powers, if it meant to describe alliance and co-operation, mutual support and inextinguishable hostility against those of a different persuasion, it may be nearer the fact, and remove these inconsistencies I have stated, but if it does so remove them, it demonstrates, by their removal, the establishment of that sort of connection, which, no one can deny, was essentially repugnant to the spirit and sense of every engagement under which the nabob stood, and directly subversive of the interests and safety of the British empire in India.

But

they would have brought his state and situation into jeopardy, and that they were, therefore, of a nature subversive of his alliance, and in violation of every obligation towards that power which had raised, supported, and protected him—Admit this opposition, and every difficulty disappears, every contradiction vanishes, all is plain, simple, rational, and consistent. With *these* are consistent the prayers of Wallah Juh for the triumphs of Tippoo, and with this, the assurances of his son and successor, that when the occasion should arrive, his fidelity to him should be manifested, and, with this is consistent all the subsequent conduct of Omdut ul Omiah, when, in the course of the Mysore war, in his contemplation, the anticipated occasion *did* arrive, when the exigencies of our situation, when the success of the contest, and the safety of our empire, demanded every exertion, and every proof of his zeal and attachment! At that moment of pressure did he withhold his resources, at that moment did his officers impede the supplies of the army, in some cases resorted even to force to obstruct their passage; and at that moment did they create every embarrassment, and oppose every obstacle within the extent of their power, to the progress of our arms. In short, Sir, such was the conduct we experienced from this *faithful and devoted friend*, that, during the existence of hostilities, and long previous to the discovery, at Seringapatam, the governor-general, as it appears, not only entertained suspicion, but repeatedly and pointedly declared, that the perverseness and disaffection displayed by the nabob, was reconcilable to nothing but a connection,

or secret understanding, with the enemy.

It has been asked, what interest the nabob could have in such a conduct? I do not feel, Sir, that to infer the reality of the conduct, I am obliged to assign to it an object of sound and rational policy. It is too much to presume, after all that the times in which we live have exhibited, that projects may not be formed, and designs pursued, that are not warranted by a true and enlightened wisdom.

What beyond a general and mutual aid, as occasions might offer, were the precise expectations of Tippoo on the one hand, and of the nabob on the other, I will not detain you by an attempt to explain; on that the question does not turn,—and I venture to call, with some degree of confidence, upon the House, to consider well the case laid before them, and, after advert- ing to the relative situations of Tippoo Sultan, and the nabobs of the Carnatic, one actually preparing war against us, the other our most intimate ally, looking at the correspondence itself, confirmed as it is by the oral testimony, in all its facts, with all the precautions for concealment that pervade and characterize it, recollecting the solemn pledge of the nabob Omdut ul Omiah, and the manner in which, when the occasion was presented by the exigencies of a war in which we were called on to defend the existence of our empire in India, that pledge was afterwards redeemed. Let any man, I say, consider these things, and pronounce, if he can, in the face of God and his country, a conscientious belief that the nabobs of the Carnatic were faithful to our cause, the duties of alliance, and their own engagements—that the charge

charge against them is without foundation---that the treaties by which they were bound were *not* violated---that a correspondence of a political nature was not carried on, and a conduct resulting from it pursued, hostile to the just rights, and affecting the security of the British empire in India.

It, sir, the conclusion I feel it my duty to draw, and, as it appears to my apprehension, the only just one that can be drawn from all that has been stated, is the direct reverse of this---The rights accruing from it to the British government become the next subject of enquiry and consideration.

The situation of the nabob may be considered in two points of view, one with reference to the original dependency of his station, under the Moghul constitution, and the opinion that, in releasing him from his allegiance to his natural superior, we only transferred that allegiance to ourselves, as well as with reference to the revertible condition on which he received the Dewanne, and the state of practical subjection in which he stood, controlled in his foreign relations, and indebted to us, both for the external defence, and internal security, of all he enjoyed---regarding him, in a word, as a mere feudatory of the British power.

In the other point of view, he may be considered as relying, indeed, upon us for his safety and protection, but possessing, nevertheless, the rights of an independent prince, rights deduced from the circumstance of the condition of his engagements which have been alluded to, having been, on his part, repeatedly infringed, and that infringement never having on ours been made a pretence for resuming what our friendship had

conferred on him---from repeated treaties having been concluded with him, both subsequent to, and in contemplation of, these very breaches of engagement, and his having on these occasions, both treated, and been treated with, in the character of an independent prince. Thus it may be said, as far as related to us, though maintained by the power and protection of our government, he was invested with all the political and personal rights, incident to real sovereignty and independence.

To this latter opinion I own myself inclined to accede, but I cannot admit that the treaty of 1763, alluded to in the Resolutions, has any bearing or effect in this question. The article in that treaty which alone mentions the nabob, was introduced for the sole purpose of terminating the disputed claims of Salabat Jung, and Mahomed Ali, in support of which, respectively, France and England had carried on the war in the peninsula of India. They therefore joined in recognizing, as far as *they* were concerned, the former as soubah of the Decan, the latter as nabob of Arcot. What the powers and privileges of each were in their several situations, was a point left wholly untouched, and to be determined by the laws and usages of the Moghul empire.

The character, then, in which I am willing to consider the nabob, is that of an independent prince under the protection of the British power, nor have I a wish to insist on any right, or to appeal to any law in favour of what has been done by our Indian government, which might not be equally appealed to, and insisted upon, towards a prince who was exempted from all reliance on our friendship, either

either for his defence or security. All I ask, in return for this admission, is, that he may be considered in one only of these capacities, and that it may not be contended that he was at once entitled to the rights of a subject, and to the immunities of a sovereign.

It is superfluous to argue that the nabob Omdet ul Omrah was in conjunction with his father, a party to the treaty of 1762, not merely as his future successor, recognized in that treaty, but individually in his own name and person. He was, therefore, from the period of its conclusion, bound to the observance of all its stipulations, and had, in the same degree with his father, conveyed to us what is called a *perfect right* to the benefits they conferred. If, therefore, the obligation contracted was not fulfilled in both according to its tenor, we acquired, with respect to both, I apprehend, the right of enforcing it, if it was desirable it should be enforced, or compelling reparation for the violation of it, if reparation was deemed beneficial, or of avoiding the treaty altogether, if that should be most consistent with our views of expediency.

I trust, sir, I cannot be so much misconceived as to be supposed to contend, that every little failure in fulfilling the strict letter of a treaty, is to be a ground for resorting to the exercise of these rights—far from it. In my conception, the infringement must be not of the letter only but of the spirit and intent of the engagement; that, too, in points not trivial, but essential and important. Such are the points that present themselves in the grant of assignments, confessedly made, although expressly prohibited, which involved both

the violation of the treaty, and the destruction of the resources on which we depended and also, in carrying on political correspondence with a foreign power, even destitute of any special aggravations. From infractions of this kind, there is no doubt, we should have derived a clear right to demand present reparation, and future security, and from the refusal of these demands, an unquestionable right of war would have accrued.

If it is not such infractions alone, but if, in addition to such infractions of the subsisting treaty, there be shown an association with a prince not simply unfriendly in his character, and opposite in his interests, but in the actual preparation of war, the object of which was our utter extirpation; if it be shown that this association betrayed itself, not only while war was in contemplation, but continued and operated, during the whole course of the hostilities that ensued, no one, I apprehend, will contend, that from the instant such an association existed, the respective parties did not assume the position of enemies, and that all the rights which a state of war can convey, did not accrue to the injured power, rights co-extensive with the demands of permanent and effectual security, and limited only by the great principles of humanity and justice.

The suddenruption of the king of Prussia into Saxony, in the year 1756, in the midst of apparently profound peace, is a fact with which every one must be acquainted. What was his defence? he had reason to believe that Saxony participated with other powers in a confederacy for his destruction, and that this gave him
the

the right of immediate war. On this right he acted, and though there were circumstances in the manner in which he conducted his measures, that excited clamour against him at the time, there is no man at this day, I believe, who does not admit, that the act of carrying war into Saxony was fully justified. Such, then, is the right towards a power wholly independent. What is the difference in respect to a dependent and protected one? It is this---that in the case of an independent power, our rights can only be realised through the medium of successful war;---in that of a protected one, we are already in a situation in which successful war would place us, but it will not be, therefore, contended that our rights are less,---it will not be contended that what, consistently with every law, may be justly pursued through all the hazards and calamities of war, we are forbid to attempt when those calamities are dissociated from the acquisition of it---that, the measures which it is our unquestionable right to take against a foreign foe, we may not, legitimately, resort to, against a traitor in our very bosom: the rights are the same, though the means of them are widely different.

If these principles are just, let them be applied to the case before us, and if gentlemen agree with me, in the conviction that the documents adduced, combined with subsequent circumstances, clearly prove a connection to have been established, on the part of the nabobs; with Tippoo Sulthan, at the very time he was meditating hostilities against us; and that, in prosecution of the purposes of this connection, he was not only furnished with intelligence and

advice, but, during the contest in which our very existence was involved, Omdut ul Omrah adhered to his cause, and aided him to the extent of his power, by treacherously obstructing our supplies, and embarrassing the progress of our arms, they must feel also with me, that every engagement between us and Ali Hussein, was abrogated, and so abrogated as, at the same time, to constitute that case of injury, from which, according to the usages of nations, the rights of war legitimately result.

Had the detection of this correspondence occurred previous to the fall of Seringapatam; had we, during the actual existence of hostilities, discovered the course of infidelity by which the nabob was betraying our cause, and counteracting our measures, had we at once, in the moment of indignation, repaid his ingratitude and perfidy, by driving him from the throne, and assuming his country, where is the man that could have hesitated upon the justice of the act? But, Sir, neither did the discovery take place under these circumstances, nor, when it did take place, did the governor-general so act upon it, on the contrary, a period of time was suffered to elapse before he availed himself of any of the rights with which the disaffection of the nabobs had invested him. And this is supposed to create a new and different case! What real difference can be found in it, is beyond my comprehension---but so it is contended, and being contended, I cannot pass it by without notice---The right of war is one thing, and the exercise of that right is another; the principle of the first is justice, of the latter expediency. Every one can figure to himself situations in which

which a nation may stand, where rights of war, the most clear and incontrovertible, cannot be acted upon without the greatest hazard, and where the sense of the deepest injuries must be (as it often is), for the time, suppressed or dissembled, but are all the rights arising out of such injuries thus destroyed? or will it be asserted, that, in the event of a country possessing rights, unquestionably just, it can be placed in this dilemma, that it must either consent to abandon them entirely, or immediately to act upon them, at the imminent risk of its own destruction? Is it possible this can be so? and if not, the exercise of the right of war necessarily resolves itself into a question of pure expediency, which the circumstances of each individual case must govern. At the same time I am far from saying, that these rights are such as may be laid aside, and stored up for ages, to be resumed at any period that ambition or interest may dictate, if acted upon, they must be acted upon within certain restrictions, and free from the intervention of any acts of confidence and friendship which imply the relinquishment of every hostile intention. Mere delay, within given limits, cannot, I apprehend, be assumed as a ground on which alone to presume such a relinquishment, and what besides took place that could rationally afford the nabob grounds for a presumption, that the guilt of which he was conscious, and which he had reason to believe detected, would not be acted upon, I do not know. If any acts from whence such an inference could be drawn, did occur, I must confess my ignorance of them. The causes of the delay appear in the

documents before you---(they are to be found in the critical state of important negotiations with other powers, --- the condition of the neighbouring provinces, in which rebellion was raging,---the desire the governor-general naturally felt to investigate, fully, the particulars of the case,---and to receive an intimation at least, of the feelings of those to whom he was responsible, before he proceeded to take the measures which the situation of the country, and the permanent safety of the interests it was his duty to guard, obviously demanded. These, Sir, were the considerations that, for a time, suspended the exercise of our rights; considerations which must, to every unbiassed mind (if the exercise be as I have stated it, a question of expediency), satisfactorily warrant the delay, without at all invalidating the right, and justify the final orders when given, to demand from Omdut ul Omrah, the security we ultimately obtained.

That security, it is said, however, was not, in point of fact, demanded from Omdut ul Omrah, but from his unoffending successor. Why was it not? At the moment when the order arrived, the nabob, who had been long in a state of declining health, appeared to be fast approaching to his final dissolution. Insensible and obdurate, indeed, must be the heart that cannot sympathise in the last hours of human existence. Not such an one was that of Lord Clive. He did feel all the compassion the situation of the nabob was calculated to inspire. He respected the inviolable privileges of a death-bed, and Omdut ul Omrah was permitted to close his eyes in peace, neither molested by accusation, nor

nor disquieted by the consequences of his perfidy and ingratitude. Can it be argued that rights so suspended were thereby extinguished? Was the conduct of a prince merely personal, this might be true,---and on this ground, I presume, it is stated, most unjustly stated, that the British government punished the innocent for the guilty,---I deny that punishment in any respect, however flagrantly provoked, was the object of the British government its object, its sole object, was security for its own legitimate rights; security which the violation of those rights, and the perfidious and hostile conduct of the nabobs, had imposed on us the duty of enforcing, and the claim to which, according to the best principles of public law, applied as strongly to him who inherited, as to his guilty and faithless predecessor. "It is one of the first principles," says a distinguished authority on these subjects, "of general equity laid down by the writers on that law, that, an heir or successor, from the very circumstance of his possessing the inheritance, is not only bound for the engagements of the person whom he succeeds, *but cannot be discharged from the obligations to repair the damages which the deceased may have occasioned by his crimes or offences*, neither under the pretext that he derives no benefit from these crimes or offences, *nor because there may have been no accusation or condemnation against the deceased.*"* It is a doctrine, as new, as contrary to reason, that the conduct of princes by whom states and nations are represented, should be considered as the acts of individuals, and perishing with them. As well might it be contended that the enmity and aggressions

of Tippoo Sultaun were obliterated when he fell upon the walls of Seringapatam, and all our claims to reparation buried in his tomb, that nothing remained for us to do but to place his innocent son upon the vacant throne with the undiminished power and dominion of his father! If the principle applies to one case, it applies to the other. Our rights were the same in both. In the one, indeed, we were obliged to establish them by successful war, in the other, we had happily the power of securing them without a similar struggle.

The proposition offered to Ali Hussein has been adduced in confutation of this principle, and as an acknowledgment, on our part, of the right that devolved to him. A right to what? I do not enter into the question of his legitimacy---I am ready to allow him to be the legal heir of the late nabob Omdut ul Omrah. And what then? he could possess no further right by inheritance than that of assuming the situation his deceased father possessed, rendered subject, by the conduct of that father, to the claim of whatever might be necessary to the effectual security of the British interests. In fact, Sir, if the conduct of the nabobs was such as to place them in the situation of public enemies; if the rights of war, as it has been contended, justly attached upon them, every hereditary claim was extinguished, and the whole state was submitted to whatever disposition the security of our interests, and the prosperity of the country, might prescribe.

The principle of humanity, and consideration for the family of Arcot, which dictated the offer to Ali Hussein, presided also over the disposition that was finally made;

* Domat's Compendium of Civil and Public Law.

made, and limited it to the necessary objects that were to be attained and secured. What but this, and the recollection of our alliance with the nabobs of the Carnatic, subsisting almost from the first dawn of our political power in the peninsula?—What but the reluctance to expose to disgrace and humiliation those whom we had adopted as the partners of our fortune, and raised to sovereign dominion?—What but the generosity characteristic of the British nation, could have led us to forget that from the nabobs we had experienced little but faithlessness and ingratitude, and the people committed to their rule nothing but misery and oppression?—What but these sentiments could have stifled our just resentments, under the accumulated injuries we had sustained, and produced the efforts that were made by our government, to obtain, by friendly negotiation, what, as a right, it might have at once confidently assumed? What but these, to continue to their families, as we have done, the enjoyment of all the affluence, dignity, and splendour, which belonged to their station, and to which they had ever been accustomed?

On the next point, relating to the manner in which our rights were exercised, and the duty of exercising them to the extent we did, I am happy to think that little doubt can be entertained, indeed, I shall be surprised if, in any part of this discussion, it should be contended, or at least contended by one acquainted with the state of the Carnatic, that any thing short of the transfer of the whole civil and military administration of the country to the British government, was capable of providing effectually for the rights we were bound to maintain, and for the prosperity of the

long oppressed inhabitants of a country, which it now became equally our duty to watch over and protect. Though I do not admit the state of the Carnatic, deplorable as it might be, could form any ground on which to found a *right* to adopt the measure that has been resorted to, yet it can scarcely be denied, that when the circumstances of hostility, and perfidy before stated, did place the whole country at our disposal, we became responsible for the effects of whatever dispositions we should make, and for the happiness of the people, no less than for our own security, from that moment, on our heads must naturally rest the odium of every abuse, injustice, and oppression, that was suffered to prevail, and, that it was in our power to avert. And was there even a possibility of averting them otherwise than by the complete transfer of the administration? Did not the state of things, and long experience, alike demonstrate that every hope of obviating the recurrence of the numberless evils with which the Carnatic was afflicted, founded on any other basis, was but visionary and delusive.

There are many gentlemen in the house, who, from local knowledge and personal observation, are much better able to detail to you, than I can be, the state and condition of that unhappy country. The documents themselves contain abundant and melancholy proofs of the sufferings of its inhabitants, under the operation of assignments made to those, who, having no interest or object but to repay themselves, with usury, the money they had advanced, let loose every species of cruelty and extortion in accomplishing it, nor less under the immediate managers appointed by

by the nabob, who seem to have been commissioned only to exhaust and ruin the provinces committed to their charge, and to whose uncontrolled rapacity, the insatiable wants of the sircar, delivered over, without remorse, an unprotected and unresisting people. For the first, I beg leave to refer to the sickening detail given by Lord Hobart, in one of the papers on the table, (it is too long to read, and it is scarcely possible to make selections) in which, after describing the progress of these transactions, through all their circumstances, and tracing a truly afflicting picture of the iniquity and barbarity that accompanied them, he concludes a part of his statement by observing, "After this exposition, no comment can be required to show, that this species of government, if it deserves the name of government, contains the most grievous oppression of the people, the certain impoverishment of the country, and, consequently, the inevitable decay of the revenue." In another passage, speaking of the effect of the system pursued, upon the resources, as connected with the state of the country, he says, "Whatever diminution (and it is considerable) in value, the security is gradually, though rapidly, sustaining, carries along with it the destruction of the human race, and the desolation of the country."

Mr Wallace here quoted several authorities, from the letters of the Collector of Trichinopoly, of Sir E. Coote, Lord Macartney, and Lord Cornwallis, all tending to shew the distressed state of the Carnatic, and the mismanagement of the nabobs, and their public servants.

The state of the country was, indeed, deplorable, and it is with grief and shame I add, that our

fellow-subjects appear to have had but too great a share in contributing to produce that state of things, and not less in rendering abortive every attempt to improve or correct it. With reference to this point, and also with a view to the condition of the country, the necessity, (if not of the precise change that took place) of a modification of our relations with the nabob, and a new and more effectual arrangement, in order to realize the objects of our connection with him, I adduce, as my last authority, one which will be certainly deemed disinterested, and to which I am persuaded some gentlemen will pay a degree of respect, they may be disposed to refuse to any other testimony that can be offered, I mean that of Om-dut ul Omrah himself, the purport of whose conversation with Lord Hobart is given in his lordship's minute of the 24th of November, 1795, on the subject of the modification of the treaty of 1792, then proposed to him, of which I will take the liberty of reading the following extract.

"It has been with the deepest regret that I have found the nabob unmoved by my entreaties and remonstrances upon this subject; *not that he has been insensible to the justice and expediency of what I have proposed*, but, as he has candidly confessed at several interviews with me, that he has not the resolution to comply, informing me, that his native ministers, and *European advisers, so perplexed, plagued, and intimidated him, that he could not venture upon the measure, notwithstanding his conviction that he ought to do so.*"

Long experience, not less than the preceding authorities I have quoted, sufficiently pointed out the only change that could, in the nature

ture of things, prove successful. If it was our duty, then, to regard the preservation of our rights; and to fix the happiness of a people, whose fate was placed in our hands, could it be other wise than our duty to enforce the transfer of the civil and military administration, as the only security for those rights, and the only remedy for the evils endured by the country?

The value and the benefits of a measure of this nature, have been long and universally felt, both at home and India. That they were so felt is not to be denied, nor do I desire to deny it. The feeling breathes through every part of the documents on the table. I am aware it may be argued, (as, indeed, it has been argued) that this feeling alone dictated the measure we are discussing. But, Sir, there are, happily, facts to be referred to, that amply refute such an accusation. Had the sense of advantage, independent of the principles of right and justice, been the governing spring of our conduct, why the long-permitted continuance of the miseries of the Carnatic under our eyes?---Why did the various attempts made by us to correct the inadequacy of our relations with the nabob, as successfully as they were perseveringly resisted, prove uniformly abortive?---Why the restoration of the country to that non rule, which had so abused and oppressed it, in the several instances when under Lord Macartney and Lord Cornwallis, it came into our possession, and when policy spoke at least as decisively in favour of retaining it, as it could ever do afterwards for its acquisition. These are proofs that it was not to the suggestions of interest alone to which we listened. It was not till an occasion actually arrived,

in which justice warranted the measure which policy recommended, that we availed ourselves, as I contend we were bound to do, of the means our power afforded, to effectuate an object too long unaccomplished.

I demand then, Sir, of the House ---I demand even of those who are most vehement in their condemnation of the transaction before us,---whether they would have found reason to applaud a governor-general, to whom the care of our interests was delegated, who had not availed himself of the contingency that arose, who, when the disposal of the country was submitted to his discretion, had relinquished our rights, had again put to hazard our resources, had deliberately revived the already experienced calamities of fluctuating and conflicting authorities, had restored that blasting and inhuman tyranny, which before subsisted, and again delivered over the inhabitants of the Carnatic to that system of slavery, extortion, barbarity, and oppression, which, to use the emphatic words of Lord Hobart, in diminishing our resources, carried with it the destruction of the human race, and the desolation of the country.

It is urged, however, that measures which, even in point of policy might be necessary towards a prince, whose misconduct we had experienced, were not equally so towards an innocent, unoffending, untried, young man. In a matter of personal consideration merely, the justice of this observation could not be disputed, but in determining our judgment of the propriety of the conduct pursued, we must look, not to the personal qualities of Ali Hussein, but to his political situation, and to the circumstances in which he would have been left, had a diffe-

a different line been adopted by the British government. If the calamities of the Carnatic had their source in a divided and fluctuating authority that divided and fluctuating authority would have remained, for I do not think any man is romantic enough to entertain the idea of our abandoning the country entirely to the nabob, or, indeed, that it was safely practicable, if from the influence of that confederacy of European and native tyrannies that beset the Durbar, and combined to obstruct every effort towards correction or reform what probability was there that he, young and inexperienced as he was, would have been able to break the shackles which his father had confessed himself unable to struggle with, and was forced to submit to? With respect to his counsels, his parent had not, indeed, made it a testamentary obligation upon him to pray for the enemies of Great Britain, but he had done more—he had committed him to the care and guidance of those, with whose assistance all the oppressions of the Carnatic had been exercised, who, having been in his own confidence, and that of his predecessor, must have contributed to, and partaken in, all the projects of faithlessness and disaffection of which they were guilty. Where, then, was the ground of a rational hope, that any one evil would have been corrected, any one danger averted, any attachment found that would have warranted the relinquishment of the smallest part of that security, which alone could be effectual and permanent?

But, it may be asked, even allowing this, why degrade the unhappy prince? why not accept the submission that was at last offered, and conclude with Ali Hussein the en-

gagement you ultimately concluded with Azem ul Dowla? I say, Sir, we did not degrade him; his dishonour as it is called in the Resolution, was his own deliberate act. It was the consequence of his refusal to admit the incontestible rights we were called upon to realize, those rights were again and again explained to him, the consequence of his resistance was again and again announced, he again and again rejected the conciliation offered to him, and trusted to fate. Enough was given to humanity, enough to our own character and his misfortune, and the treaty was closed. It was not, then, to us, but to his voluntary adherence to the fallacious hopes and delusive confidence with which he had been insidiously inspired, to the pernicious impulse of that cabal which had betrayed his progenitors, and been the bane of his house, that he owed the change in his fortunes, and the disappointment of all his natural prospects. Under this fatal influence, he firmly pronounced his own sentence, and drove us, reluctantly, to the decisive measure of raising another prince to the musnud. It was possible, undoubtedly, that, notwithstanding these circumstances, we might have still given to him possession of the throne, but would it have been wise, would it have been consistent with our tranquillity or safety? He had refused our offers, rejected our favour, impeached our justice, and his whole efforts and resources would have been employed to subvert the order of things we had established. His means, perhaps, to affect us, were not extensive or powerful, but his object and end would have been certainly hostile, and we should have created, in the very heart of
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our empire, a counteracting influence — a centre of disaffection, around which all the dissatisfaction, intrigue, discontent, and turbulence of the country might gather and accumulate — where every hostile movement would find a promoter; every enemy, foreign or domestic, Indian or European, a friend, an ally, and an instrument. This surely was sufficient to have dictated to us the prudence of consigning the captive, nominal and barren as it appeared, to safer and less doubtful hands.

It is with sincere regret I venture to recall to the recollection of the house, an event so afflicting as the late mutiny at Vellore, but, Sir, nothing can more forcibly illustrate my argument. If a son of Tippoo Sultan, a prisoner in that fortress, without power, without wealth, without means of seduction, could be supposed to produce such effects, as, by many, are attributed to his intrigues and exertions, what might not have been those produced by the prince of the country, with similar dispositions, and means infinitely more extended? I will only add, though they would not, perhaps, have shaken the foundation of our empire, they might yet have given birth to such scenes of convulsion, horror, and bloodshed, as would have been long to be remembered and deplored.

It now remains for me to say a very few words (very few, I assure the house, they shall be) on what I own is, in my estimation, a comparatively subordinate part of our consideration — I mean, the circumstances that attended the execution of the measures in question. Indeed, Sir, for the detail of them I am inclined to rest

simply on the contents of the documents on the table, and I do so with the more readiness, because I feel I have already trespassed much too long on the patience of the house, and am certain, whatever I shall omit will be amply and more ably supplied by others, who are likely to take a share in this discussion.

Mr Wallace next adverted to the alleged letter of the prince Ali Hussein, to his agents, and opposed to the statements contained in it, the official narrative of the British commissioners.

It is scarcely within possibility, that, to a transaction of this nature, circumstances of apparent hardship should not be incident, circumstances to touch our best feelings, to call forth our compassion and sympathy, and to afford the materials for much eloquent and impressive declamation, but, before gentlemen abandon themselves to emotions of this kind, I implore them to weigh well, and impartially, all the considerations connected with the case before them. In doing so, I am persuaded they will be satisfied that no degree of attention that humanity could dictate, has been wanting, that every hardship that could be avoided, was prevented, and those which were inevitable, alleviated, as far as was compatible with the secure accomplishment of the measure to be effected. Whatever, as a matter of unavoidable hardship, fell upon Ali Hussein, I unaffectedly regret, his early death I regret also, but in the compassion I may feel for his fate, I cannot forget justice, or consent to admit that his death has any direct connection with the measures that were adopted. Examine every circumstance of it, and

and no unprejudiced mind will discover even a colourable ground for suspicion. It even his situation preyed upon his mind, and affected his health (of which, however, there is no proof), it may be a matter of concern, but can be none of criminal accusation against the British government. The rigorous severity of restraint and confinement, so loudly complained of, appears never, in fact, to have existed, with respect to Ali Hussein, or to the princes of the family generally, on the contrary, it is proved uncontestedly by the papers, that full liberty was afforded them of quitting the precincts of the palace, if they preferred it to yielding the usual obedience to their constituted head. That they were under the authority of the nabob, is true, but, such were the precautions taken by Lord Clive, such his constant communication with the palace, that no abuse of that authority, no outrage or violence could take place without his knowledge, and in speaking of various representations from several discontented members of the family, he distinctly declares himself enabled to state, "that the facts described in them, are, in some respects, exaggerations of trivial circumstances, in others, absolutely without foundation."

The illness of Ali Hussein commenced, as it appears, in the apartments of his aunt, the Sultaun ul Nissa, one of the most active and avowed enemies of the new arrangements, with whom he had resided for some time, and who would naturally watch over his safety with more than common anxiety and vigilance. There he remained till he removed to the house of his mother, a few days preceding his

dissolution, in a state of hopeless in-en-ability. The first intelligence of his illness was communicated by the nabob Azeem ul Dowlah. Every medical assistance was immediately offered that it was in the power of the governor to furnish. It was, at first, resisted by the prince's attendants, and, when with difficulty admitted, proved too late to be availing. Not an idea seems to have been entertained at the time, that the cause of his death was otherwise than natural, there is no suspicion thrown out, and even the letter professed to be sent, but could not be sent by Ali Hussein to Lord Clive, the day before his decease, confirms the innocence of the nabob. The mention of spells and incantations, if they prove nothing on one side, prove much on the other---they indicate the spirit in which the letter, from whatever quarter it came, was composed, and, by a reference to such grounds of accusation, prove the total want of all that was more substantial and credible.---What benefit, in truth, could be derived from such an act, compared with the risk attending it? The establishment of the new order of things was complete, all rivalry was at an end, the determination of the British power was manifested, and its support irrevocably pledged to Azeem ul Dowlah, had he then felt the idle desire to make assurance doubly sure, by a crime so atrocious, could he have promised himself any advantage to balance the consequences of almost inevitable detection---which must have raised against him the horror and detestation of all mankind and most of all, I trust, of those by whose favour he had been elevated, and whose indignation could

in a moment have dismissed him from the throne, of which he was unworthy, to the obscurity from whence he was taken?

I have now, Sir, traced (I am conscious how imperfectly) the circle I proposed in my outset — If I have had the good fortune to be at all successful in conveying to the house the impressions of my own mind, I can entertain little doubt of the result of this discussion. If I have failed in so doing, convinced as I am of the truth of those impressions, I have the consolation of knowing there are many present who equally feel, and by their superior authority and eloquence, are infinitely more capable of giving them weight than I can pretend to be, and who will do justice to a cause to which my powers are, I am sensible, little equal.

With the views I entertain of the transaction before us, it will not be wondered at, that I should not have thought it necessary to inquire particularly whence it originated, whether in the orders transmitted from home, or in the unaided and spontaneous zeal of the government in India? Approved and sanctioned as it has been by the authorities constituted to superintend the administration of our Indian affairs, I consider the measure as an act of the British government; what may be the sentiments of the court of directors I do not pretend to know, but I must remark, that though, on many other points, Lord Wellesley has incurred their censure in the catalogue of his faults or errors, this has not been introduced, I am, therefore, willing to allow, that in acting with zealous solicitude for their interest, he may have been felt to have deserved, though he has not received, the expression of

their approbation. In that sentiment of approbation, whether participated in by the or no, I cordially concur. In my official capacity I have cheerfully declared it, and here, as a member of parliament, with equal satisfaction and sincerity, in the presence of my country I repeat it, and rejoice in the opportunity once more afforded me of bearing a public, though feeble, testimony to the transcendent merits of the late governor-general. Under his auspices this great and desirable measure was accomplished. Under the same auspices the British power in India has attained a height that will be the admiration of future times, when the transient feelings of this day are past and forgotten. I rather wish, for the honour of my country, to dwell on the services he has rendered, than that return of obloquy and persecution with which they have been rewarded. It is true, Sir, in assuming the government of India he found a great and powerful empire, but he found it encompassed with perils, exposed to the rivalry, and threatened by the designs of surrounding powers — Tippoo Sultan, cherishing implacable hatred against us, was maturing his projects of vengeance, and preparing, as he thought, our destruction. The extensive resources of the Mahratta confederacy, influenced by commerce, hostile to our empire and interest, were formidable and unbroken. The nizams, subjugated by a numerous force, under the command of French officers, was a slave in his very capital. A more considerable, and almost independent French power, fixed in the South, and in possession of the prison of the Moghul, menaced our most vulnerable frontier on the side of Gude, allied with France,

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and prepared to co-operate with her, or any other invader of the British dominions. Mark the change — The sultaun overthrown; his hated, his name, his kingdom extinguished for ever. The nizam emancipated from French influence, amongst our closest and most attached allies. The Mah-ratta confederacy broken, disjointed, and humbled by our arms, is no longer an object of anxiety or alarm. The French force, in every part of India dissolved and dispersed, and scarce an individual of the nation remaining on that vast portion of the earth, but by our sufferance and permission, the unquestioned predominance of Britain established, without a rival throughout the Indian world, and the blessings of British justice and government extended to millions of thankful and protected subjects!

In the course of these events much has been added to the British dominions, much to the glory and splendour of the British name; to which no one has more contributed than my right honourable friend near me. But, Sir, the wisdom which guided, and the genius which inspired, all the measures from which those effects have flowed, have not so much added to the extent of our possessions, and the glory of our name, as to the permanent strength, solidity, and security of our empire. Contemplating our situation as the late governor-general found it on his arrival, and comparing it with what he left it at his departure, we may well say, — *Intervitum invenit, mar-morem reliquit*.

I shall trouble you no further, than merely to acknowledge, with gratitude, the indulgence I have received, and intreat the house to believe, if I appear to have abused

it, that I have been induced so long to trespass on its patience, in obedience only to the strongest sense of public duty, and a conscientious conviction, that, in vindicating the acts of lord Wellesley's administration, I am defending the most important and valuable interests of my country.

LORD ARCHIBALD HAMILTON contended, that the nabob's father and grandfather had lived and died in amity with the British government, and that, by the treaty of 1762, the nabob was not precluded from any but a political association, or correspondence, with the native powers. No one act of hostility had been committed by the nabob, nor had he been proved, in any instance, to have violated his engagements with the company. — He could not agree in the view of this subject taken by the right honourable gentleman who had just sat down, because it appeared by the papers, that the general government in India had the intention to annex the nabob's territories to those of the East India company, long before any charge of perfidy was imputed to him. What must have been the fidelity of the nabob, if the governor-general could not, from the year 1798 to 1801, find any pretext for the usurpation of his territories, for an usurpation he considered it?

After the clear and able statements of the honourable friend, it was unnecessary for him to say any thing more on the subject. — He was aware how little the house was inclined to enter on a question of this kind. If any thing was calculated to rouse the spirit of that house, the statements lately made in it, relative to the nabob of Oude, must have done so. At that time the House must have seen the

the honour and interests of the country sacrificed, and after the same had been passed over without the slightest notice by the House, it was impossible for the people to look up to its justice with the respect and reverence it had been accustomed to do. He thought nothing but the most cogent and satisfactory reasons could justify the proceedings towards the nabob, and that, as yet, nothing but reasons the most frivolous and inconclusive had been produced. He should certainly support the resolutions.

Colonel ALLAN felt that, having on a former night ventured to state his opinion upon a question of a nature similar to that which was now brought before the house, (the Oude Charge) he should not discharge his duty with satisfaction to his own mind, were he to be silent upon a motion that related to transactions which took place in the Carnatic, where he had resided for an uninterrupted period of twenty years, having, in the course of that time, held a confidential situation under his noble friend Lord Buckinghamshire, during the whole of his administration in India, he had opportunities of knowing many of the facts, which were stated in the papers before the house. As the nabob of Arcot had never wanted advocates (as they had witnessed even that night) to assert that he was an *independent sovereign*, and as many hon. members might not have had leisure or inclination to peruse the papers laid before parliament upon this subject, he wished shortly to draw the attention of the house to the origin of our connection with Mahomed Ali, and to the foundation of his pretensions, as nabob of Arcot, in order that a

correct idea might be formed of the title and privileges which he actually possessed. He thought he could show, that it was during the contest between the English and the French who had gained great influence in the Deccan, and aimed at the exclusive possession of the Carnatic, that Mahomed Ali first introduced himself to our notice, not as the acknowledged nabob of Arcot, but as the competitor of Chunda Saib, whose pretensions were supported by the French. He thought he could show, that in that war, which terminated in leaving the English masters of the Carnatic, so little did Mahomed Ali or we think of conquering merely for *him*, that the British colours were regularly hoisted on the forts which surrendered to our arms; that we obtained from the Mogul the sanction of his authority, under a commission to Mahomed Ali, as nabob of Arcot, that that office was one of deputation and dependence of a military nature, and quite distinct from the administration of the revenues, which belonged to the office of Dewan, and that, through British influence, those two offices were united in his person, under the express condition, that the management of the revenues should revert to the company, in the event of his being guilty of any secret practices, or of any failure in his pecuniary engagements. But he thought he should best consult the wishes of the House, and certainly his own inclination, by abstaining from these details, he should therefore content himself by observing, that the nature of our connection with the nabob of Arcot would be found accurately described by Lord Macartney, in a letter from the government of

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Madras* that of Bengal, in which letter, speaking of this *independent sovereign*, his lordship observed, "that he was no more reckoned than the nabob of Oude, among the native powers of Hindustan, that they were both Europeans in connection and dependence."

Col Allen here referred to some assertions of Mr Buike, in prosecuting the charges against Mr. Hastings, as evidence of his not being reputed even as an independent sovereign, but "in truth and substance, nothing more than a merely civil authority, in the most entire dependance on the company." And the correspondence of Lord Macartney and the Directors of the East India Company, was quoted by him, as tending to the same effect. The hon member next entered into a history of the several engagements, or treaties, concluded between the nabob and the Indian government to the year 1792. When some favourable modifications of the preceding treaty was consented to by Lord Cornwallis --- Had the treaty of 1792 been adhered to with that good faith which we had a right to expect from the nabob, the country would have found in it a source of increasing prosperity, for, by its wise provisions, a considerable portion of the Canatic was exonerated from those private assignments, which had ever been productive of oppression and distress to the inhabitants, but the expectations justly entertained from the operation of that treaty, were disappointed, and the evils of the administration of the Canatic, if possible, increased after the death of Mahomed Ali, in 1795. It now became necessary, continued the hon member, to examine

whether the nabob adhered to the treaty of 1792, and he thought he should have no difficulty in showing that he had violated, not only the spirit, but the letter, of that treaty. In the year 1794, his noble friend Lord Buckinghamshire, assumed the government of Madras. It was notorious, at that time, that the nabob had granted assignments on the districts mortgaged to the company. In the minutes of council of his noble friend, the mischiefs resulting from that practice were fully explained, and the system was traced through all its intricacies. In a letter to the court of directors, dated in Sept 1796, Lord Buckinghamshire observed, that "the fullest consideration of this important subject, with the contemplation of that ruin in which the nabob's breach of engagement is involving the Canatic, the daily accounts which he received of the oppression and miseries of the unfortunate inhabitants, and the conviction which he had of the progressive annihilation of the resources of the company, had so strongly expressed his mind with the necessity of a change of system, that he had no hesitation in saying, if there be no doubt (and it is not possible for any man in India to doubt it) of the treaty of 1792 having been violated by the nabob, there can be no question of our right to avail ourselves of every means in our power to enforce such a modification of the treaty, as will guard against the fatal consequences of future violation, and he was not afraid to hazard his character upon the policy, the justice, and the humanity of the measure." Mahomed Ali, the hon. member said, was apprised by his noble friend, that by the infraction

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of one of the main articles, the whole treaty had been cancelled; and Lord Buckinghamshire endeavoured, but without success, to prevail upon the nabob to agree to a modification of the treaty, by placing under the company's management a permanent territorial security, equal to the amount of the subsidy, and, as an inducement, offered to give up a claim which the company had on the nabob for about thirty lacks of pagodas.---After the death of Mahomed Ali, Lord Buckinghamshire made a similar proposal to the nabob Omdut ul Omrah, to which he likewise refused to accede. Omdut ul Omrah was also informed by Lord Buckinghamshire, that he considered the granting assignments on the mortgaged districts, a violation of the treaty. And the government at home, in July, 1796, warned the nabob of the consequences of such conduct; but there is stronger evidence than this, of the nabob's violation of the treaty, for the nabob himself, in a paper delivered to Lord Wellesley, in May, 1798, says, "having explained that, under the present arrangement of my monthly kists, I was compelled, at a particular period of every year, to raise money for the payment of the company's military subsidy, which money was repaid from my countries in the following manner viz. supposing a kist of a lack of pagodas was to be paid, we received sixty thousand from the country, and borrowed the remaining forty thousand from some person, and gave him an order on that country for that amount, which he received. It was well known that these assignments extended to the districts specified in the treaty, for it was recorded by Lord Bucking-

hamshire, in a minute in council, "that the southern districts of the nabob's country, and Tinnivelly in particular, as being the most distant from the presidency, have been the theatre in which these scenes have been chiefly exhibited; but it is notorious that similar practices have been introduced, and are now actually carried on in Vellore, Arcot, and Trichinopoly." The house would recollect, that every one of those districts was specified in the treaty. But it had been attempted to be argued by the nabob, that his granting assignments on the mortgaged districts, was not a violation of treaty, and that the only penalty for so doing, was, in the event of those districts being assumed by the company, that the assignments should be of no value and of no effect.

The 5th section of the 8th article of the treaty of 1792 was as follows, and with the leave of the house, Colonel Allen said, he would read it, "In consequence of the measure whereby the districts mentioned in the Schedule, No. 2, became responsible for any arrears that may accrue in the payment of the above stipulated kists, the said nabob agrees that he will not grant tuncaws, or assignments, on any account, on the revenues thereof; and if, contrary to this condition, any tuncaws or assignments should exist when the said districts, or any of them, shall be assumed by the said company, such tuncaws or assignments shall be declared, by the said company, and the said nabob, to be of no value, nor shall they remain in effect." He would not, however, attempt to argue what should be the just construction of this clause, as he had no doubt that, if it should be necessary, it would be ably and successfully

successfully argued by persons whose opinions would have more weight in the house than his could have, but he must say, that he thought his noble friend, Lord Buckinghamshire, had put that construction upon it which was intended by Lord Cornwallis, who framed the treaty, and that it was, at the time of its conclusion, so understood by the nabob. That he might not mis-state his noble friend, he should make use of his own words, contained in a public letter to the court of directors. "The 5th section of the 8th article of the treaty of 1792," says Lord Buckinghamshire, "is made to affect two parties, the nabob, and the money lender, if the former grants assignments on the mortgaged districts, he is liable to such penalties as generally attach upon a breach of engagement, if the latter advances his money upon securities upon the districts in question, he hazards the loss of it, on their falling into our hands, how a clause, distinctly affecting two separate objects, can justly be construed to exonerate the one from all penalty, because its final operation upon the other is specifically provided for, is beyond my capacity to discover." Upon this authority, then, he had no hesitation in asserting, that the nabob, by granting assignments on the districts mortgaged to the company for the security of the subsidy, violated the treaty of 1792. That the government at home were decidedly of that opinion, is evident from a letter to Madras, in June, 1799, in which they observed, "that his highness has distinctly acknowledged, that he is in the practice of raising money, annually, by assignments on the revenues of those districts, which form the security for

the payment of the company's subsidy, as this practice is unquestionably contrary to the letter, and subversive of the spirit of that treaty, we direct that, immediately upon the receipt hereof, you adopt the necessary measures for taking possession, in the name of the company, of the whole, or any part, of the said districts, which shall appear to be so assigned."

Col ALLEN then said, that if he had succeeded in showing that the treaty of 1792 had been violated, the justice of the late arrangement in the Carnatic must be admitted. But the nabob had not only violated the treaty by granting assignments on the mortgaged districts, but also by entering into a correspondence with Tippoo Sultaun, without the knowledge and consent of the British government. It had been asserted that an eager examination of the papers of Tippoo Sultaun, was amongst the first acts of the general staff after the fall of Seringapatam. It chanced, the hon. colonel said, to be his lot to be the first British officer that entered the palace of Tippoo Sultaun, he was on the general staff, and in the confidence of the commander in chief, and had opportunities of knowing what was done. Tippoo having been killed in the assault, his sons and generals, who commanded divisions of his army, as soon as they were apprised of his death, surrendered themselves to General Harris. Measures were immediately taken to secure the quiet possession of Tippoo's dominions. The records of the Mysore government were carefully preserved; they were examined, and the correspondence of the nabobs of the Carnatic having been discovered, it was, of course, transmitted to the governor-general. Of the nature
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and object of that correspondence, he admitted, that different opinions might be formed; but we know that, by the treaty of 1792, the nabob was bound not to enter into any political correspondence with any native power without the consent of the British government, and we also know that the nabob, in compliance with that stipulation, was in the practice of sending to the government of Madras, for their approbation, not only the drafts of the letters which he proposed writing to Tippoo, but also the letters which he received from the sultaun. Keeping this in their recollection, gentlemen would observe, that among the papers before the house, are numerous letters from the nabob to Tippoo, on the most trivial occasions, merely complimentary, all submitted to the inspection of the government before they were dispatched, clearly showing that the nabob did not consider himself at liberty to hold any correspondence whatever, without the knowledge and consent of the British government. What were we then to infer, when, on the occasion, perhaps on the very day on which the nabob had sent one of these complimentary letters to the government for their approbation, we found that he had also written a letter of a secret, and, at least a mysterious nature, which he dispatched to Tippoo without their knowledge?—Some of the communications made by the nabob, through Tippoo's ambassadors, were for the purpose of apprising the sultaun, that he was suspected by the British government of carrying on an improper negotiation with the Mahattars, of advising him to suspend his plans until a more favourable opportunity occurred, and of recommending him to be more

guarded in his intercourse with the French, and we must not forget, that Tippoo had, on his part, sent ambassadors to France and the Mauritius, in order to prevail upon the French to afford him military assistance. What then, asked the hon. member, are we to infer from the secret meetings of the nabob with the ambassadors of Tippoo? From the communications made only under a solemn oath of secrecy? From a cypher evidently intended, if not for hostile, certainly for political, purposes? And all this at a time when, it would be recollected Tippoo was endeavouring, by every means, to unite all the Mahomedan princes in Hindustan, for the avowed purpose of expelling the English from India. But was this the extent of the nabob's treachery? By no means; for we are informed, that in a conversation held by Mahomed Ali with one of the ambassadors, the nabob reprobated the war carried on by Lord Cornwallis, as a war undertaken for the subversion of the Mahomedan religion, by that war Tippoo was reduced in power, wounded in pride, and he determined on revenge, he, therefore, determined to support the faith, and to exterminate the infidels, meaning the English. With such feelings on his mind, what was the language of the nabobs of Arcot, the allies of the company? It will be found in one of the letters from Omdut ul Omrah, which contained this remarkable passage, which he desired might be repeated to the sultaun: "In the preservation of thy person is the perpetual permanence of the faith. Let him not remain who wisheth not thy preservation." The hon. member thought no man would be bold enough to assert, that the nabob would have ventured

ventured to have submitted that letter to the inspection of the Madras government; and yet there were persons disposed to offer an excuse for every act of perfidy in the nabob, and to brand with odium the British name in India. In his opinion, however, it was enough, that the correspondence found at Seringapatam was secret, and that it had been carried on by the nabob without the knowledge and consent of the British government, for his part, he thought that no impartial man, who had perused the letters which were submitted by the nabob to the inspection of the Madras government, and had compared them with the letters which were found at Seringapatam, could lay his hand on his heart, and pronounce that correspondence to have been innocent, the fair presumption was, that it was of a nature hostile to the British interests, it certainly was a violation of the treaty of 1792.

With this impression on his mind, on the subject of the nabob's conduct under the treaty of 1792, he should trouble the house with a few words with regard to the policy adopted by the British government on the discovery of the violation of that treaty. In the first place, he would remark, as a general principle, that the policy of some arrangement, similar to that which has recently been adopted in the Carnatic, could not be doubted by any person who had looked into the papers. As far back as 1774, the inconveniences and dangers resulting from the system of the nabob's administration, had been often experienced by the government of Madras, and as often represented to the court of directors. The hon. member then showed, that from that date to the government of

Earl Powis, in the whole of the intermediate administration of Lord Macartney, Sir A. Campbell, Lord Cornwallis, and Earl of Buckinghamshire, the inconveniences of a divided government in the Carnatic had been seriously felt by every successive administration, and that nothing short of an arrangement like that ultimately concluded by Lord Wellesley, could protect the British interests in that quarter.

The hon. member declared, that after the opinions of Lord Macartney, Lord Cornwallis, Lord Buckinghamshire, and Lord Powis, publicly recorded, and to which he had endeavoured to draw the attention of the house; after the fullest enquiries on the spot, possessing also, as Lord Wellesley did, every means of acquiring correct information, he could not feel surprised, that Lord Wellesley should have considered the late arrangement in the Carnatic as founded in the wisest policy. Its impolicy, however, had been argued upon grounds, in his humble opinion, quite erroneous. It had been remarked by those who differed from him on this occasion, that formerly we had no invidious duties to discharge, that the nabob's government exacted the revenue and inflicted the punishments, that they were regarded as the oppressors, whilst we were considered as the benefactors of the country, but that now we had changed places with the nabob, and we were then gravely asked, whether it was wise to have taken upon ourselves a task which must render us odious to the natives? To this point, the hon. member said he could speak from his own personal knowledge, for he was employed for seven or eight years making surveys of the country, and traversed every part of it, and he believed he might venture to say, that

that at the time he quitted India, no European had seen more of the Carnatic than himself: he had many opportunities of learning the real sentiments of the inhabitants, and he had no hesitation in declaring, that they invariably spoke in praise and admiration of the system pursued during the period that the country had been under the management of the Company's servants; and with detestation and abhorrence of the nabob's managers, whose oppression and cruelty were so great, that he had known all the inhabitants of a village fly from the nabob's territories, during the night, to seek protection in those of the Company, or perhaps to retire altogether into the dominions of the nizam, or of Tippoo Sulthan.

It might be argued, however, (and some had already made the attempt) that, although the late arrangement in the Carnatic was founded in justice and policy, the family of Mahomed Ali had strong claims on the liberality and indulgence of the British government. It may, therefore, continued the hon member, be worth while to examine how far such claims are well founded. From our earliest connection with Mahomed Ali, we had reason to be dissatisfied with him for his want of faith and honour, instances of which had been recorded as far back as the administrations of Mr. Bouchier and Mr. Dupré; and the government of Madras had declared, that the nabob's conduct was such as to destroy all confidence in his engagements. Lord Macartney observed, that the records were full of essential failures on the part of the nabob in his pecuniary engagements. In the war with Hyder Ali, in 1780, we applied to the nabob, in vain, for assistance; the same when we

were preparing for the war in 1790.

In the war of 1799, the government was compelled to call upon the nabob for pecuniary assistance; for when Lord Wellesley assumed the government of India, he found an exhausted treasury, and our credit very low. The nabob promised three lacks of pagodas, no very large sum, but it will scarcely be believed, that he advanced only 16,000 pagodas, or 6,400*l*. private individuals shewed more zeal, and, to the honour of the British commercial houses at Madras, they afforded every possible assistance, and enabled the army to move from our frontier to Seringapatam. But this want of attachment to his allies was not confined to failures in his pecuniary engagements; the nabob actually showed an indifference to the British interests, which might justly be attributed to disaffection. In a letter from the Madras government to the court of directors, dated August, 1799, they observed, "We are concerned to inform you, that this is not the only instance in which we have had to lament an indifference to the success of our measures on the part of his highness, for, instead of calling forth the resources of the Carnatic, for the supply of your army, his highness's managers, in every province of his dominions, not only withheld all assistance from their respective districts, but opposed every possible object to the passage of supplies, procured for the use of the army, beyond the limits of his highness's dominions." And the government at home, in a letter to Bengal, dated the 4th of December, 1800, mentioned the particulars of the nabob's conduct regarding the fort of Chandernagherry, and observed, that "a more decided instance of disaffection

disaffection could scarcely be imagined"---Under all these circumstances of the nabob's repeated, he might almost say constant, failure in his engagements ; of his indifference to the British interests, an indifference amounting nearly to disaffection ; of his violation of the treaty of 1792, not only by granting assignments on the districts which were mortgaged to the company as the security for his subsidy, but also by entering into a secret correspondence with Tippoo Sultaun, the implacable enemy of the British name in India, the hon member contended that we were justified in considering the treaty of 1792 as annihilated, and in adopting whatever measures we deemed necessary to secure our rights in the Carnatic. With this view, it was the intention of the British government to have made a communication to the nabob, Omdut ul Omrah, of the proofs which they had obtained of his having carried on a secret correspondence with Tippoo Sultaun, contrary to the stipulations of the treaty of 1792. He had previously been apprised of his violation of that treaty by granting assignments on the mortgaged districts. Circumstances of expediency, however, interrupted this communication. It was protracted by the nabob's illness, and his death frustrated the wish of the British government to obtain from him satisfactory security for their rights in the Carnatic. Released from the treaty of 1792, which had been repeatedly violated by the nabob, with the recorded opinions of Lord Macartney, Lord Cornwallis, Lord Buckinghamshire, and Lord Powis, that no divided power, however modified, could possibly avert the utter ruin of the Carnatic, the opinion of Lord

Wellesley was further strengthened in these sentiments by a letter from the secret committee, approved by the board of control, transmitted to him in June, 1799. In this letter the secret committee observed, " In the event of a war with Tippoo Sultaun, the respective countries of the nabob of Arcot and the rajah of Tanjore, will, of course, come under the Company's management, and they direct that they be not relinquished without special orders from us, or the court of directors." Without entering into any detailed examination of the contents of this letter, he would be satisfied with merely begging the house to remark, that even upon a general principle of expediency, and without any knowledge of the secret correspondence found at Seringapatam, the government at home ordered Lord Wellesley not to relinquish the Carnatic, even upon the conclusion of a peace with Tippoo Sultaun. Therefore, he was clearly of opinion, that, under all these circumstances, it was the duty of Lord Wellesley to form such an arrangement for the future administration of the affairs of the Carnatic, as should result from a full consideration of the relative situation of the nabob and the East India Company, the ruinous consequences of the repeated violations of the treaty of 1792, the interests of the inhabitants of the country ; the security of the British government ; and the orders that have been received from the court of directors. A difficulty, however, arose with respect to the person who was to succeed to whatever degree of power it might be deemed safe to place in the hands of the successor of Omdut ul Omrah. His legitimate and adopted son was considered entitled to a conditional preference ;

preference; but when, under the suggestion of those who had been the advisers of his father, he refused to accede to the terms which it had become necessary to annex to the situation of nabob of the Carnatic, the succession, subject to the stipulations required, was offered to, and accepted by, the next legitimate heir, the son of Azeem ul Omrah, and grandson of Mahomed Ali. But it had been said, that that arrangement in the Carnatic was begun, continued, and concluded, with a rapidity which was observable in all the foreign transactions of the Bengal government: it was, no doubt, easy to make, but it certainly was as easy to refute, such an assertion. So far from that rapidity with which the Bengal government was unjustly charged, it appears that Lord Wellesley investigated the business with the most deliberate caution. He appointed commissioners (of whom, in consequence of what had fallen from the hon. baronet, who opened the debate, he should say a few words before he sat down) to examine the persons concerned in the correspondence, and to ascertain the nature of the connection between the nabobs of the Carnatic and Tippoo Sultan; he reported the proceedings to the secret committee and to the board of control, and it was not until Lord Wellesley was informed by those high authorities, that their sentiments perfectly coincided with his own, and with Lord Powis's, that he gave his final instructions on the subject, two years after the discovery of the correspondence of the nabob with Tippoo Sultan, the charge, therefore, of precipitancy, was quite unfounded. The treaty with Azeem ul Dowlah was concluded in July, 1806: it was

immediately transmitted to England, and it was now only necessary to shew that it was approved of by the government at home. The house would, he flattered himself, agree with him, that a hasty decision had not been pronounced upon that important measure. In September, 1802, fourteen months after the treaty had been concluded, the secret committee having had the papers a long time under consideration, wrote to Lord Powis as follows: "We do not feel ourselves called upon to enter into the detail of the circumstances connected with the case, or to state at length the reasoning upon those circumstances, which has led to the conclusion we have come to, after the fullest and most deliberate caution. It is enough to state to you, that we are fully prepared, upon the facts, as at present before us, to approve and confirm the treaty in question; and we are of opinion, that, acting under the instructions of the governor-general, you stand fully justified (upon the evidence, written as well as oral, on which you proceeded) in deeming the rights of the family of Mahomed Ali, as existing under former treaties, to have been wholly forfeited, by the systematic perfidy and treachery of the late nabobs of the Carnatic, Wallah Jah and Omdut ul Omrah, in breach of their solemn treaties with the company. The claims of the family having been thus forfeited, and a right having accrued to the company of making provision, at their discretion, for the future safety of the Carnatic, we are further of opinion, that the nature of the security which has been provided by the treaty for the defence and preservation of our

our interests in that quarter, is of a satisfactory description."

After having so long troubled the house, he would merely observe, that the view which he had taken of this subject was formed upon an attentive perusal of the papers laid before parliament, upon which alone we could form our judgment. Indeed, the substance, almost the whole, of the speech with which he had presumed to trouble the house, was founded upon those documents, and he should therefore oppose the resolutions moved by the hon. baronet. The hon. baronet, however, in speaking of the commissioners, had used an epithet, which, the hon. member said, he was sure he would not have done, if he had been personally acquainted with them, and yet a very slight examination of the papers would have enabled the hon. baronet to have known those gentlemen by character and reputation. Whatever opinion the hon. baronet might have formed of those gentlemen, he could assure him, that there were not in the house, nor in the country, two men of a higher sense of honour, of more conscientious and honourable feeling. Colonel Close, so highly distinguished by his talents, his zeal, and integrity, was resident at the court of Poonah; if he were in this country, he should have wished him to have been examined at the bar of the house, and he was persuaded that the hon. baronet would have formed a different opinion of the secret correspondence from that which he entertained. With Mr. Webbe, late chief secretary to the government of Madras, the hon. member said he had been in habits of the most affectionate friendship, unfortu-

nately for his friends and his country, this valuable public officer was dead; he sacrificed his life in the service of his country; he was a man of the true sense of honour, justly looked upon as one of the highest characters in India; he could truly say, that Mr. Webbe's memory was universally revered. His noble and independent mind would not have allowed him --- [Here the feelings of the hon. member so overpowered him, that he was unable to proceed, and sat down.]

Mr. WINDHAM, on account of the lateness of the hour, and the number of hon. members who had yet to speak upon the subject, proposed that the debate should be adjourned to Wednesday, June the 1st, which was ordered accordingly.

Wednesday, June 1.

CONDUCT OF MARQUIS WELLESLEY.

On the motion of Sir Thomas Taiton, the order for resuming the adjourned debate on the Carnatic Question, was read. No person rising to speak, the question was put on the first resolution, and the gallery was cleared for a division; but Mr. Sheridan having suggested to Sir Thomas to withdraw his resolutions of fact and distinct charges, in order to bring the whole matter more satisfactorily to issue on the general question, whether Lord Wellesley's conduct in the transactions with respect to the Carnatic, was or was not consistent with justice, or with the character and honour of the British nation? a debate arose on this proposition, on which strangers were again admitted. When the gallery was re-opened,

Mr.

Mr. WELLESLEY POLE was speaking. He had no objection to come to issue, this or any other night, upon any charge the right hon gentleman, or any other person, might have to prefer against Lord Wellesley. He would not sit silent when it was insinuated that his noble relative or his friends wished to stifle inquiry. It was no evidence of a disposition to blink the question, that Lord Wellesley's friends were desirous to come to the vote without provoking a fresh debate. The debate on the former night had closed with a speech from an hon. member, (Colonel Allen), who had been an eye-witness of the transactions in the Carnatic, and who was in no way connected with Lord Wellesley, declaring the whole of the matter contained in the charges, to be gross and unfounded calumnies. In the full confidence, not only of the innocence, but of the highly meritorious conduct of Lord Wellesley, he was ready to meet any thing that the right hon gentleman, (Mr. Sheridan) had to urge, however awful it may be to contend with the great talents and eloquence of that right hon gentleman, matured and methodized on this question by a six years' preparation. He knew the magnitude of the powers he should have to contend with, but in the cause of truth he should not be deficient in boldness. He knew he expressed himself warmly on this subject, but during the last six years, and more particularly during the last three years, he had exhibited, as every one must allow, no small stock of patience. He did not pretend to be so callous, as not to feel indignation when the hon. baronet, who brought these charges,

said, that Lord Wellesley's conduct in India had been such as to convince him, that no man could retain honour or honesty in that country. The hon. baronet in thus expressing himself, not only used his parliamentary privilege of freedom of speech, but he had gone to the full extent of that privilege, in using language which he dared not use elsewhere. He contended, that the judgment of the house, however pronounced, after the discussion and investigation that had taken place, would be decisive of the case. If the decision should be unfavourable to Lord Wellesley, he would bow to it as a fair condemnation, if it should be favourable, he would rely on it as a full and fair acquittal. He was convinced that Lord Wellesley had been actuated by no principles but a regard for the honour and interest of his country, and in this conviction he boldly met those accusations, which, if he thought them at all founded in fact, he should shrink from, and hide his face at a distance from this house, and from the society in which he had the honour to associate.

Mr. SHERIDAN regretted that the hon gentleman had so totally misconceived him. He had never said, that that hon gentleman, or any of his friends, were anxious to blink the question, but he had said the very reverse. He had said too, what he would repeat, that moving the previous question was not the way to obtain for the noble marquis, that honourable and satisfactory investigation so much wished for by his friends. It was not directly meeting the very serious charges brought against the noble lord. As to the part he took in the present question, the hon. gentleman knew well that he could

not

not be influenced by any other motive than a sense of public duty. As to the fatal intemperance of the hon. gentleman, he was willing, if not to approve, at least, to overlook it, at the same time he denied that any thing had ever fallen from him that went to impeach the private moral character of the noble marquis, though he always thought, and was still of opinion, that that noble lord betrayed, too often, a mischievous ambition, that might be ultimately ruinous to the British interests in the East. He would repeat his wish, that the worthy baronet would waive his antecedent resolutions, and come at once to the immediate point at issue, as to Lord Wellesley's conduct with respect to the Carnatic.

Mr. WELLESLEY POLE stated, that when the hon baronet had opened his resolutions, an hon friend of his (Mr. Wallace) gave notice that he would move the previous question on the resolutions of fact, and a direct negative on the criminating resolution, for which he proposed to substitute a resolution of approbation.

Sir JOHN ANSTRUTHER thought it a most extraordinary proceeding, that after the course just stated should have been laid down in the presence of the right hon gentleman a fortnight since, and he had heard it, and was ready to speak on it without exception, he all at once came forward this night to reverse all that had been done, and substitute a general question. Nothing but the previous question would be a proper proceeding on some of the resolutions. The others were to be met directly in the most decided manner.

Mr. WALLACE felt himself warranted by the practice of parliament in proposing the previous

question on the resolutions of fact. To the criminating resolution he proposed a direct negative, to be followed up with a resolution of approbation. There could be no question that a decision on these resolutions would fully convey the sense of the house. The hon. baronet who opened the charge, and every other person who spoke on the question, treated of it in its full extent.

Sir THOMAS TURTON considered that his resolution ought to be agreed to without a question. On the fourth resolution, which was criminating, he thought the house ought to go into a committee. Finding that the resolutions were to be met in this manner, he should divide the house on every one of them, and on the fourth, criminating Lord Wellesley, not personally, but in his acts, he should again state to the house his reasons for confirming the resolution.

The question being called for, the house divided on the first resolution. Two divisions then took place in succession. That on the first resolution was

For the previous question.... 102

For the resolution 18

Majority —84

On the second resolution, the numbers were,

For the previous question.. 109

For the resolution.. . . . 21

Majority..... —88

For about an hour after this, strangers were excluded from the gallery. On our return we found

Mr G JOHNSTONE addressing the house, and condemning, in strong terms, the conduct pursued towards the young prince of the Carnatic, Ali Hussein, who had been, for no crime, punished with greater severity than was merited by the guilty person who had preceded

ceded him, and no man could entertain a doubt as to the manner in which he came by his end, after he had been given into the power of another prince. It had been asked, whether the government of India would put a young man upon the throne of the Carnatic, who was suspected not to be cordially their friend? If there was any foundation for that argument, it was one of much greater validity for excluding Omdut ul Omrah. The father, who possessed his inheritance in the greatest splendour, had not more means of doing mischief than his son. An hon gentleman, who spoke on a former debate, had greatly misrepresented the fact, when he said the nabob of the Carnatic owed his power to the East India company. At one time it was owing to the assistance the company received from the nabob Wallah Jah, that our existence was preserved along the coast bordering on his territories, when the French attacked us near Fort St David. It was said, the nabobs were only a sort of lords, and that they had no authority in the country. The very contrary of this was the fact. The nabob was a legitimate sovereign, and the East India Company acknowledged him as such by holding territory from him. The hon gentleman then entered into a history of various transactions in India, to shew that it was contrary to the principles and practice of our government, at former periods, to keep possession of the territory of native princes. At the conclusion of a war with Tippoo Sultan, his territories, which we had taken possession of during hostilities, were restored to him. In opposition to this, and other acts of a similar kind, was our own convenience to be set up as a plea for

injustice? The letters of Lord Cornwallis had been quoted, during a former debate, in order to justify this proceeding. But the conduct of Lord Cornwallis was that of his actually giving up the territory he possessed, as belonging to the nabob, and was it not extraordinary, that this act should have been quoted for the purpose of justifying an opposite conduct? The act to which the attention of the house was now called, arose out of a conviction, that to establish our dominions in the East, no part of the territories belonging to the native princes should be suffered to remain in their hands. But he would ask if this system had answered in point of policy? Were we gainers by it, even in mere profit? No the very reverse was the fact. As soon as we got possession of any additional territory in India, the establishment necessary to support it had eaten up the profit and it was now a well-known fact, that we received less money, in point of revenue, from the extensive dominions in our possession, than we received when we held them from the nabob. It was evident, therefore, the system had not answered, either in policy, or in pecuniary advantage. As to security, we had acquired none, for every day proved, that the vast extent of our dominions in the East made the security less and less. If the house wanted an example, he would call to their recollection the mutiny at Vellore. It had always been the sentiment of Lord Cornwallis, that it was only by moderation and justice that we could ever expect to render our dominions in Asia secure, and prevent those passions and heart-burnings which so frequently occurred in those distant possessions.

Mr. WHITSHED KEENE entered into

into a defence of the government of India, in depriving the nabob of his dominions; because he had shown a manifest disposition to favour and aid the French. The greatest abuses, he said, existed in the Carnatic. The hon member then went so far back into the history of the Carnatic as the year 1768, and pointed out such abuses as he thought rendered the interference of the India government highly necessary. He spoke at considerable length in exculpation of the noble marquis, and in favour of the previous question. He enumerated the important services he had rendered his country, which were manifest from the documents upon the table of the house, and he was convinced that from a fair consideration of the subject, the house must acquit the noble marquis of the criminal part of the charge. He contrasted the conduct of other governors in India, who had returned with unstained character, with that of the noble marquis, and contended that he, as well as they, was entitled to the approbation of his country. He was well persuaded that no other measures than those adopted by the noble marquis could have secured the fidelity of the nabob of Arcot, and he thought, from the peculiar circumstances of the country, he was fully warranted in the line of conduct he pursued. Any body who could trace the origin of our connection with the nabob, would observe, that the actions of the noble marquis were marked by a degree of prudence and firmness highly becoming his situation in India.

Mr. GRANT said he was reluctant to trouble the house on a subject which had already received so

ample a discussion, but he conceived that his situation as a director of the East India Company imposed on him the duty of offering his sentiments on the occasion. As he understood, however, that several other gentlemen, as well as himself, wished to debate the last resolution, he should propose, from the lateness of the hour, to postpone the consideration of that branch of the question till an early day. (A cry of go on, go on, on which the hon member resumed his speech.)

The chief causes assigned by the governments of India for the deposition of the family of Mahomed Ali, had been the alleged hostility of the princes of that house towards us, and also a correspondence which they were discovered to have maintained with the sovereigns of Mysore, which correspondence was stated to have been utterly subversive of their existing engagements with the British power. But the case had been argued in the House on somewhat different grounds. The nabob of the Carnatic had been represented as the feudatory and vassal of our government, as having abused the charge committed to him by a series of gross mis-government, which had reduced the country to a state of the most dreadful disorder, and as having, therefore, justly forfeited his exalted situation. In order to meet, as far as possible, the different views in which the question had been considered, the hon. director said he would first concisely review the nature and progress of our connection with the nabob, next, he would consider the effects of this connection on that prince's administration,

administration, including under this head the disorders with which his administration stood charged, he would then comment on the accusations that had been brought against the nabob of a breach of faith; and, lastly, would shortly examine how far any of the circumstances mentioned had authorised us in our late assumption of his territory.

Anwar u Dien Cawn, M^r Grant said, the grandfather of the late nabob, had been appointed to the nabobship of the Carnatic by the great Nizam ul Mulk; and, though by no means an immaculate character, had yet been, in this respect, superior to the generality of Indian princes. This person had perished in a battle against the French and Chunda Saheb, who was a pretender to the nabobship of the Carnatic. The eldest son of Anwar u Dien was taken prisoner in the engagement, but his second son, Mahomed Ali, having escaped, applied for assistance to the British. The inordinate ambition of the French had by this time completely alarmed the English company's governments in the East. It was evident that, under colour of supporting the pretensions of a native prince, the French were forming the most ambitious schemes of territorial aggrandisement in India. This was a prospect in the last degree dangerous to our interests, and nothing remained for us but to contend against those powerful enemies with their own weapons, that is, by supporting a rival candidate for the rule of the Carnatic. Actuated by these views, we embraced Mahomed Ali's proposals, and took arms ostensibly in his cause, but really in our own. Such had been the origin of our intimate connec-

tion with the nabobs of Arcot. The general correctness of this statement, Mr Grant said, would appear from all the historical accounts of these transactions; and, indeed, would be allowed by every person who was competently informed on the subject.

These admitted facts it was material to keep in view, because our late appropriation of the Carnatic had been vindicated partly on the ground that the nabob was only the creature of our power, and that, consequently, our removal of him from his high station was the mere resumption of an existence which we had ourselves bestowed. Could these premises be even established, it was far from clear that they would warrant the conclusion that was attempted to be drawn from them, and, certainly, whatever might have been our demands on the gratitude of the family of Mahomed Ali, we had, at length, exacted a payment in full, but the fact was that the premises themselves were notoriously false. It was certainly not likely that, without our aid, Mahomed Ali would ever have been able to establish himself in the sovereignty of his paternal dominions; but, undoubtedly, it was as little likely that, without those advantages, and that hold on the opinion of the natives, which an alliance with the family of Anwar u Dien Cawn had afforded us, we should ever have been successful in a struggle which, in spite of all the helps that we could command, and the most powerful talents to direct our resources, had, it was well known, long been doubtful and perilous in the extreme. To say the truth, by far the greater part of our political and territorial rights in the Carnatic, had professedly been

been derived through the title which Mahomed Ali possessed to the nabobship, the very title on which it was now found convenient to throw a slur. How far the nabob might be obliged to us for services which were confessed to be performed from interested motives, the hon. director said he would not determine, but of this he was sure, that the obligations on our part were, at least, equally great, and, consequently, that the argument drawn from the favours which we had formerly conferred on the nabob's family, was exactly as just as it was generous.

Whatever might have been the defects of the nabob's title, we had precluded ourselves from any notice of them, by having fully acknowledged him as lawful nabob of the Carnatic. His title had also been fully recognised by the French, in the treaty of Paris 1763, by the subahder of the Deccan in 1768, and by the Moghul in 1773. The importance of his title to us was evident from the stress which the company laid on the recognition of it by the French, as would appear from the following words, in a letter written by the directors to the government of Fort St. George, and dated March 9, 1763. "A farther advantage we hope to derive from the recognition of this pounce (the nabob) and of Salabadzing, whose title, you will see, is likewise acknowledged, that it is a confirmation of our title to the territories we hold under grants from those princes, and a farther security to the peace of the country, leaving the French no colour to interpose hereafter in favour of any other pretenders to the sovereignty of the Deccan or the Carnatic." In 1769, we made a treaty with Hyder Ali, in which

the nabob refused to be a party; nor was it then thought competent to us to insist on his participation. Subsequently to our original acknowledgment of the nabob, we had made two treaties with him, in the years 1787 and 1792, in both of which that original acknowledgment had been confirmed.

In full and indisputable possession of those rights, it was necessary to observe what the situation of this pounce, in process of time, became. At the commencement of our connection with him, he was the principal in the wars of the Deccan, and we the auxiliaries; the parties also were, in some sort, on a footing of equality, were involved in a common danger, and their alliance was reciprocally valuable. The course of events, however, insensibly altered their relative position. Our growing territory, wealth, and power in the East, gradually exalted us above our old ally, and threw him into the shade, and this inequality, by necessarily producing a depressing sense of inferiority on his part, and the contrary feeling on ours, had a perpetual tendency to increase itself. By degrees, we became the principals in the wars of the Carnatic, and he only an auxiliary, and, what was more, an auxiliary, who, though he might suffer from our losses, could acquire little or nothing by our conquests, and who, therefore, could not be expected to feel any very warm or lively interest in our success. At length he was prevailed on to dismiss his own troops, and to trust the defence of the Carnatic entirely to the Company, who were, for that purpose, to assume the entire management of his dominions in time of war, allowing him a certain

certain stipulated portion of the revenues. By these steps, which it was unnecessary to describe more in detail, the nabob sunk into a state of political insignificance, and, though still possessed of very important and valuable rights, became, virtually, dependent on our good faith and power.

Now, what was likely to be the effect of this order of things on the character and conduct of the prince in question? It was plainly his interest, and would naturally be his wish, to preserve peace with all his neighbours, war not only would give him nothing, but would, while it lasted, deprive him of almost all that he possessed. Submission, in a certain degree, to his British allies, his circumstances naturally prescribed to him, at the same time it could hardly be expected that his friendship towards them should be extremely zealous, or that the services to which it called him should be performed with great activity. It even could not be considered as surprising if his obedience should be not only languid, but mixed with some feelings of jealousy towards those by whom, under the name of allies, he was so completely overtopped and humbled, and this the more especially, because our occasional assumption of a part of his dominions, and repeated propositions to him to resign the management of the whole, could not but suggest to him some uneasy anticipations with respect to the probable event of these encroachments.

With all this, it did not follow that he was likely to be disaffected to us in any sense which would imply an endeavour to shake off our alliance; and for this short reason, that our alliance, with all

its attendant inconveniences, was palpably a far smaller evil than a rupture with us. He had no means, nor could have the faintest hopes of bettering his condition by any change. In point of fact, it could not be disputed that he had acted up to the principle of a common cause, at least till after the peace with Tippoo in 1794. An attempt had, indeed, been made, as the papers on the table would shew, to prove that Mahomed Ali had been engaged in a perfidious negotiation with Hyder so early as the year 1773. This attempt was well worthy of observation. In the records of Seringpatam, there had been discovered some letters addressed to Hyder from his ambassador at the court of Mahomed Ali, in which the writer reported various complimentary and friendly expressions used by the nabob towards the sultan. Instantly the Bengal government began to stigmatise this shameful breach of faith in Mahomed Ali, and this antiquated correspondence was used as illustrative of the systematic treachery charged on the unfortunate family of that prince. It had, however, since appeared, that all those professions and overtures of attachment towards Hyder had sprung from the suggestions and wishes of the British government of that time, whose most earnest desire it was that the nabob would so far overcome his rooted aversion towards the Mysorean as to maintain a pacific and friendly intercourse with him. The lessons to be drawn from this memorable fact were too obvious to require any particular comment. But even had the nabob, at that early period, cherished any expectations of emancipating himself from the yoke of our alliance, it was impossible

possible that he should have persevered in such projects, when his means of realizing them were every day declining. The British power was becoming more and more preponderant; and Tippoo, the only potentate of any consequence in his neighbourhood, was divided from him by a most rancorous hereditary hatred. Least of all could we suspect him of having indulged in those alleged projects after the war of 1792. Tippoo had then been despoiled of half his territory, the French were entirely destitute of resources in India, and he himself had no army of his own whatever. His only object, then, could be to retain peaceable possession of what he had, or, at most, to conciliate, by his conduct, the good will of his neighbours, with a view to his security, in case, after all, the chances of war should, at any time, raise up some new preponderating power in the East.

It had, however, been argued on a former night, that if the nabob could so far overlook his true interests as to view with indifference the efforts of his best friends, the British, in defence of their common cause, and even by his extreme tardiness in affording them the assistance which he had promised, to impair and thwart those efforts, then it was perfectly consistent to ascribe to him the further impolicy and folly of conspiring against those friends with his natural enemies. But there was no force in this reasoning. It was not clear that those who were in some one respect unwise, might therefore be rationally suspected of every sort and degree of madness whatsoever. In the circumstances of the nabob, it was natural enough that he should fall into habits of

indolence and mis-government; but it was by no means natural that he should be guilty of the palpable and unpeakable impolicy of risking all that he possessed on a speculation of the very last extravagance. The carelessness and weakness of his conduct were so far from justifying the supposition of his having really formed the audacious and desperate projects imputed to him, that they rather countenanced the contrary opinion.

In the situation of this prince, Mr Grant said, a sufficient explanation might be found of those disorders which had been stated to prevail in his administration. — What, in fact, was his interest in the welfare of his dominions? In proportion as those dominions should flourish, he was liable to an increase in the demands of the company upon him. Fearing the power of our government, and of those possessing influence in it, and feeling himself unequal to a contest of strength against such decided superiority, he was led to fortify his interests by intrigue and artifice, hence his lavish grants and his debts. From these causes, in a great measure, the disorders of his country had proceeded. — Those disorders had been sufficiently deplorable, but it was necessary to recollect that, for the system which had given birth to them, we were, at least, as much to blame as the nabob. The *divided government*, of which such bitter complaints had been made, and which we had now taken care completely to supersede, by appropriating the entire government to ourselves, had been one of our own creation; and it, therefore, seemed hard that its faults should be visited exclusively on the nabob.

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From this review of the progress of our connection with the Carnatic, the honourable member did not think it difficult to appreciate the general nature of our relations with the nabob, or the justice of our late assumption of that whole territory. It was of very trifling consequence, and indeed was an idle dispute about words, to inquire whether the nabob had been a *dependent* or an *independent* prince, epithets, neither of which was fully applicable to his situation. His situation had, in fact, been one of a *qualified dependence*, the terms of that dependence being adjusted by formal treaties. The treaties having been framed expressly for the purpose of determining the mutual relations of the two parties, it was plain, if any thing ever was plain, that in all their mutual transactions, they were to hold the provisions of those instruments sacred, and that any inference on either part, under any pretext, beyond the limits marked out by such provisions, was altogether unjust, and a breach of faith. If, with a view, pretended or real, of rectifying the disorders of the Carnatic, we arrogated to ourselves a power which a solemn compact, freely entered into by ourselves, directly withheld from us, we acted exactly like a man who should forcibly possess himself of his neighbour's field or garden, on the alleged ground that his neighbour cultivated such field or garden very badly, and that he himself could cultivate it better! It was impossible to undervalue the forcible assumption of the Carnatic, by successive British governments, and successive British governments made to us the most important of that region. It was the only one of that region which we had ever possessed, and which we had ever defended, and which we had ever improved.

It was high time that extortion should have stopped; and, at all events, the smaller violation of plighted faith could never be considered as a precedent for the larger. If, on the other hand, those concessions had been obtained only by the methods of simple persuasion and remonstrance, (which had generally been the case) they formed a body of strong precedents in proof of the injustice of the last and greatest concession, which was admitted and avowed to have been wrung from the party by force.

The honourable gentleman (Mr. Wallace) however, who, on the former night's debate, had first defended lord Wellesley, had admitted, that the disorders of the Carnatic, however great, could not of themselves justify so strong a measure as our assumption of the country; but his argument had been, that when once the perfidy of the nabob himself had absolved us from our engagements with him, it became our duty to consider the disordered state of the country, and to push the rights accruing to us to the utmost. This argument, to be sure, assumed the perfidy of the nabob, of which he (Mr. Grant) would say something presently, but this admitted, the principle might, perhaps, abstractedly be just. It was, however, in all cases, a principle very dangerous to act upon, because highly liable to abuse, and, in the present case, there were considerations which made it totally inapplicable and preposterous. These were, that we had ourselves been mainly instrumental in producing the system which had occasioned all the miseries of the Carnatic; that the remedy which we first proposed for those miseries was one by which we were ourselves to be the first and

and the greatest gains; and that the adoption of the remedy could cost us no other trouble than merely issuing an order. It was monstrous to assert, that a power so situated, and acting under such powerful temptations to its cupidity, should be allowed that sort of discretion claimed for it by the honourable gentleman, of pushing, with whatever purpose or pretence, its demands to the utmost. When we made an *arrangement*, (such was the mild appellation given to it,) by which the nabob surrendered every thing, and we gained every thing, it would be ridiculous to imagine that a bye-stander would construe this transaction, however it might be described, in any other light than as an instance of the most criminal ambition; and, what was worse, the construction would probably be right.

Before he proceeded to consider the alleged infractions by the nabob, of the treaty of 1792, the hon. director said he would advert in this place to the supposed policy of our measures on the occasion. An hon. gentleman (Col. Allen) had, in the former debate on the subject, taken great pains to shew the policy of those measures from this consideration, that, in the opinions of the wisest and best-informed persons, some of which opinions the hon. gentleman had quoted to the house, the division of government in the Carnatic was the great scourge of that country. All this might be allowed; and yet, in the only admissible sense of the world, the policy of our measures still remained to be proved; for the question was still to be answered, whether they were just. The hon. member, to whom he alluded, had cited the testimony of Lord Cornwallis, with respect to the in-

conveniencies of the divided system of government, and the advantages which might be expected from a supersession of it. He (Mr. Grant) wished that the hon. gentleman had read the rest of the paragraph, with a part of which he had presented the house, from Lord Cornwallis's letter of the 9th of July, 1792. After stating his wishes to have the entire country placed under the Company's management, his lordship thus proceeds: "But the nabob's own disposition, and the influence of a number of interested people, of a variety of descriptions, left me no ground to hope that he could be brought to give his free consent to an arrangement of that nature; and a regard to justice and liberality towards an old ally, as well as to our own reputation in India, equally precluded the most distant idea of making use of any other means than those of persuasion, which I knew would be ineffectual." The fact was, that the late revolution in the government of the Carnatic might have been as easily effected by Lord Cornwallis as by any succeeding governor; his power was equal, and if he had sought zealously for a pretext, one might undoubtedly have been discovered. It was very true that Lord Hobart, while governor of Madras, had proposed to force on the nabob an arrangement somewhat similar to that of Lord Wellesley, he would have had the company take possession, at once, of the districts pledged for the security of the nabob's subsidy, and thus in spite of the nabob's rejection of the measure. His lordship justified this proposal on the grounds described by the honourable gentleman, (Col. Allen); but the honourable gentleman had not informed

informed the House that the Supreme government of Bengal had overruled the plan of forcing the nabob into such an arrangement, as being totally inconsistent with the faith of treaties, and that their conduct had met with the approbation of the authorities at home.

Mr GRANT here read an extract from a political letter from Bengal, containing the reasons, why the Supreme government would not consent to the proposed arrangement of lord Hobart, then governor of Madras.

The court of directors had entirely concurred in these arguments, and, accordingly, in their general letter of the 18th of October, 1797, to Fort St George, after expressing their hope that lord Wellesley might be able to effect an arrangement with the nabob of the Carnatic, similar to that which had been projected by lord Hobart, they thus expressed themselves:—"But feeling, as we do, *the necessity of maintaining our credit with the country powers by an exact observance of treaties*, a principle so honourably established under lord Cornwallis's administration, *we cannot authorise his lordship to exert other powers than those of persuasion, to induce the nabob to form a new arrangement*"

The hon director proceeded to consider the alleged violations of the treaty of 1792 by the nabob, violations which we had been pleased to consider as releasing us from the obligation of that engagement. The principal of these were, his having granted assignments on that part of his territory which was pledged as a security for the payment of the subsidy to the Company; his tardiness and negligence in affording us the supplies which he was bound to procure, during

the wars in the Carnatic; and lastly, his clandestine correspondence with Tippoo. With respect to the former, by the fifth section of the eighth article of the treaty of 1792, it had been provided, that the nabob should not grant any assignments on the revenues of the responsible districts; and that, if any such assignment should be found to exist on any of the districts, when such district should be assumed by the Company, such assignment should be declared by the Company and the nabob to be void. The nabob having, in fact, granted assignments on some of the districts in question, Lord Hobart, in justification of the arrangement of the affairs of the Carnatic, which, as had been already stated, he had recommended, declared that the nabob had violated the treaty, and, in fact, reduced it to a dead letter. To be sure it was obvious that, by the treaty, the nabob was bound either not to assign the revenues of the responsible districts, or, having assigned them, to declare those assignments void, whenever the districts should fall into the Company's hands. If he did not this, he violated the treaty. But that the simple act of assigning the revenues, when done on pain of having the assignment avoided, should of itself be considered as amounting to a dissolution of the treaty, and as authorising us to remodel the whole of that engagement, seemed to be a very questionable doctrine. Lord Hobart, however, had contended, and his arguments had been repeated on the present occasion, that the avoidance of the grant was evidently a penalty attaching, not on the nabob, but on the money lender, and, consequently, that the former must be liable to some further penalty,

penalty, since the treaty never could have intended to exempt him from all blame in the event of his making the obnoxious grants --- These arguments, when they were first urged by Lord Hobart, had not convinced the Bengal government of that time, nor the authorities at home, and it was for the house to judge whether such a construction of a plain instrument was to be endured, or whether it was consistent with British candour, humanity, and justice, to quibble away the entire dominions of a prince on such pretences. To say nothing more, it seemed strange that the avoidance of a sovereign's grants should be represented as no sort of injury to that sovereign, and besides this, Lord Hobart, in arguing that the assignments by the nabob, being breaches of his engagement, ought to expose him to some further penalty, had assumed the very thing in dispute, which was, whether the mere act of assignment, so long as that assignment was understood to be conditional and subject to avoidance, was, in fact, a breach of the nabob's engagement. But it was unnecessary to discuss this matter further; when the whole question was, not whether the nabob had in all points strictly adhered to the treaty, but whether he had so violated it as to incur the enormous penalty which had been exacted from his family. Now, on a point which, to say the least of it, turned on a very doubtful construction, how could so monstrous a proposition possibly be maintained?

As to the tardiness and negligence of the nabob in supplying us with money, provisions and carriages, during the time of war, this the governor-general had represented as a decisive symptom of

systematic hostility of mind. This charge, however, like the rest, was not confined to the nabob Omdut ul Omrah, but had been made to reflect back on his father, Mahomed Ali. Both those princes were represented as having been "hostile to the full extent of their active powers, and according to their means and opportunities." The hon. director referred here to what he had already said respecting the peculiar circumstances in which the nabobs of the Carnatic had been placed by their connection with the Company; and argued, that their conduct had been such as we might naturally have expected, and ought to have forgiven. What had been harshly called "*a systematic deception in the provision of funds,*" was nothing more than was common to the Asiatics. When we entered into treaties with the nabobs of the Carnatic, we were aware of this. We were, in early times, perfectly well acquainted with the Asiatic character, and had been extremely tolerant of its known defects, so long as such toleration had suited us. Surely it became us to persevere in the same liberal system. As to the systematic hostility of the nabobs, the charge was unjust and cruel. They had been backward to pay, because their plain interest was to pay as little as possible. But was this to be swelled into a proof of hostility? In 1779, when there was a confederacy entered into among the native powers of India against the Company, what was the conduct of Mahomed Ali? Had he been before that time inimically disposed towards us (as had been alleged) he would have hailed this as an excellent opportunity of gratifying his inclinations. He would, at least, have connived at the plot. He

would

would have suffered it to ripen in silence. Did he thus conduct himself? On the contrary, he no sooner received a hint of the existence of such a combination, than he communicated it to the governor-general, and strongly pressed on him the necessity of instant preparation. Mr. Grant said, he held in his hand the letter written by the nabob on this memorable occasion. With respect to the alleged perjury of Mahomed Ali in 1773, the hon. director said, he had already sufficiently explained that matter. What could be worse, than thus to traduce the characters of our departed allies?

But there was another pretended breach of the treaty of 1792 on the part of the nabobs. He alluded to their clandestine correspondence with Tippoo.

On the correspondence itself, Mr. Grant said he would remark presently, but there were some preliminary observations which suggested themselves. It was plain from the papers, that for some time before the discovery of the letters in question, the government of India had been strongly inclined to a very decisive and authoritative interference in the affairs of the Canatic, and, indeed, to an assumption of a good part, at least, of that country. Now, with this bias on their minds, it might be expected that they would be disposed to seek every possible colour for the measures they were projecting, and, consequently, would be far from impartial judges of anything in the nabob's conduct that afforded the slightest ground for suspicion and complaint. The truth was, they had read these letters with evil-eyes, and had conducted the whole affair of the assumption with such an utter dis-

regard of justice, as was quite inexplicable on any other supposition than that of a pre-determination on their part to seize the country by some means or other. It was allowed on all sides, that the letters contained no direct or palpable proof of the nabob's having conspired against the company. Those who thought the worst of them, were reduced to a great deal of circuitous construction, and of inference from obscure allusions. It was true that, in order to throw light on the subject, some persons, through whose hands this correspondence had originally passed, and who, indeed, had themselves written some of the letters, had been examined. It was perfectly notorious, however, that this examination had brought nothing of any importance to light, excepting so far as it had satisfactorily explained some of the most suspicious parts of the correspondence. This had been distinctly allowed by the governor-general himself, whose words in one of the documents on the table (letter to Lord Clive of 28th May, 1801) were, "The tendency of those examinations is of a nature, *in some important parts of the evidence, rather to weaken than to confirm the impression made on my mind by the written documents.*" This was curious, and it was curious also, that, notwithstanding the known servility of the Asiatic character, and the strong and manifest indications which had been given to the persons examined, that the discovery of the nabob's guilt would be highly agreeable to the British government, not one of those persons admitted the criminal plots ascribed to the nabob, though some of them at least must have been privy to such plots, and though they

they were not, nor ever had been, in any way connected with the nabob's family. Under these circumstances, it was impossible for the warmest advocate of the late arrangements, to assert that the case was free from difficulty. Indeed, an hon. gentleman (Mr Wallace) in a former debate, had allowed that the evidence against the nabob was not such as might be requisite in a British court of justice, he had, however, added, that it was such as nations were compelled to act upon, if they had any regard to their own safety. *Compelled!* Nations in general might be compelled, but *we* certainly had not been compelled. We had voluntarily and deliberately stopped short in our inquiries, at the very moment when we were admitting that some important circumstances of suspicion had been completely explained. We had not asked a single question of any person connected with the nabob, not even of his minister, Khader Nawaz Khan, who was himself deeply implicated in the suspicions attaching on the nabob, and was residing at Madras at the very time of the examination. But, what was infinitely worse than all, we had, in contempt of the very first principle of justice, altogether refused to hear the accused in his own defence. When the Bengal government had first issued their directions to Lord Clive, to negotiate the transfer of the Carnatic into our hands, on the ground of the nabob Omdut ul Omrah's treachery, that person was himself alive. Those directions were on the table of the House; and, incredible as it might seem, it appeared that the nabob, so accused, and so to be punished, was to be addressed, not with remonstrance, not with a demand of explanation,

not with a single question of inquiry—no, the very first communication to be made to him was, that, by his treachery, he had irrecoverably forfeited the whole of his dominions. and that the determination of the British government was final. The instructions of the governor-general on this head were peremptory, and, in fact, they were obeyed with a scrupulous exactness, for, though Omdut ul Omrah had died just before the fatal blow was struck, there could be no doubt that his son and presumptive successor, who then stood in his place, had a perfect right to be heard in defence of his father's fame and his own rights. This, however, was refused. The two khans, under whose guardianship the young prince had been placed by the late nabob, undertook (as the report of the British deputies mentioned) “that, upon being furnished with the proofs of the supposed treacherous intercourse between Tippoo Sultan and the family of the nabob Mahomed Ali, such explanations should be afforded, and such answers given, as the different cases might require, and that the proofs being compaerd, the Company might form a complete judgment.” This most equitable proposition was instantly stifled, and the khans were informed, “that in cases of disputed points between independent powers, neither party could erect itself into a judge of the conduct of the other party.” The deputies, therefore, in strict conformity with their instructions, refused to hear any more on the subject, and insisted on the immediate transfer of the Carnatic into our possession. Was it possible to conceive a more shameful proceeding than this, or a more extraordinary

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nary plea than that which had been employed in defence of it? Undoubtedly, independent powers could not ordinarily sit in judgment on each other. The reason was, because independent powers would not ordinarily submit their conduct to such an inquest, or, if they submitted to the inquest, they would probably not submit to the decision. Still the judicial method of proceeding was always adopted so far as was practicable, for was it not always expected that remonstrance should precede hostilities? or would it be endured, except, perhaps in cases of the last necessity, that a power, having reasons, however strong, to suspect another of ill faith and perfidy, should summarily proceed to destroy the other, without a single previous word of expostulation or enquiry? But, in the present instance we had a power voluntarily surrendering itself to judgment, imploring to be put on its trial, and at the same time notoriously unable to offer a moment's resistance to any sentence that might be pronounced, how harsh and tyrannical soever, and then we had this power completely annihilated without a hearing, on the pretence that independent powers could not sit in judgment on each other! Not the least extraordinary feature of this transaction was, that we had for once, that is, at the only time when our convenience required it, admitted the nabob to be an *independent* power. But, however inconsistent this might seem it was exactly in character.

The hon. director then went on to make some comments on the clandestine correspondence between the nabobs and Tippoo. In considering it, he said, it was curious to observe the contradictory explana-

tions given of several parts of it by those who wished to extract from it proofs of the disaffection of the nabobs to the British, and also the manner in which some of those prisons had been forced to abandon several of the grounds on which they had at first relied the most firmly.

Mr Grant here examined the letters of the various parties, in a general way—and contended that they contained little more than a parade of friendship and Asiatic etiquette.

The only suspicious circumstance in the whole correspondence was the cypher. But what, after all, could be extracted from it? No use had ever been made of it. It was remarkably ill-calculated for use, because remarkably deficient, and if it had been seriously intended for use, why it should have been left so deficient no possible reason could be assigned. If it meant any thing more than one of those idle pieces of Oriental ceremony and affected mystery, which it was difficult for us to understand, or if, at the worst, it had any character beyond that of a false and inefficient token of an attachment merely pretended, still it was impossible to draw from it any such strong presumptions against the nabob as we could safely and fairly act upon. At the most, it could only be a subject of inquiry and discussion, not of extreme and exemplary punishment.

Mr Grant said, it was unnecessary for him to remark how many expressions in this correspondence, which had originally appeared suspicious, now confessedly stood explained from the affair of the marriage, and how completely the deductions, so triumphantly drawn from those expressions, had failed.

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On the whole, indeed, what could be made of this pretended conspiracy between the nabobs and Tippoo, when, upwards of a twelvemonth after its alleged commencement, and just before the departure of the vakeels, who were supposed to have conducted it at Arcot, we found Omdut ul Omrah only then proposing the establishment of a *cordial harmony* between his father and the sultana? An hon. gentleman (Mr Wallace) had contended that by the *cordial harmony*, for the establishment of which the prince seemed so anxious, something much more extensive than the expression ordinarily conveyed must have been intended, otherwise, as he thought, the passage would be nonsense; that is, to prevent the passage from being nonsense, he chose to understand the words in a sense which they had never been known to bear, a contrivance certainly, by which any sense might be affixed to any passage. The fact was, that the passage *was* nonsense, and intended *for such*; it was nothing but a collection of unmeaning and extravagant professions. The hon. gentleman had asserted, that he was not bound to assign any rational cause for the supposed conduct of the nabobs in conspiring with the mortal enemy of their own family and their allies. Perhaps not, if the fact of the conspiracy was fully and fairly proved, but if, as was the case, this fact was only presumed from the papers,—*was* confessedly a matter of inference, and of choice between opposing probabilities and difficulties,—then, surely, all those who professed to believe it were bound to reconcile it with all the circumstances of the case. Among other circumstances, too, they had to reconcile it with, this very extraor-

dinary one, that a conspiracy which lasted for years should have never ostensibly proceeded beyond vague professions of mutual friendship.

To compensate for the palpable deficiencies in the evidence, another sort of argument had been resorted to. The bare circumstance of a correspondence, however innocent that correspondence might be, between the nabobs and the sultana, was, it seems, a breach of the treaty of 1792. Now, the true question here was, whether, supposing such a correspondence to have taken place, as all would allow to be evidently innocent, any one individual would have been found to maintain that we should have been justified in punishing this venial breach of treaty by disfranchising the nabob of his entire dominions? If not, what was the use of this argument, until it should previously be proved that the correspondence which had taken place was actually of a treacherous and treasonable nature? Why, the argument failed in the only case in which there was any necessity for applying to it.

Mr GRANT then commented on the treatment which the nabob's family had received, which, even admitting the truth of the charges brought against them, and much more when the problematical nature of those charges was considered, he stigmatised as arbitrary, unjust, and cruel. Suppose Mahomed Ali and Omdut ul Omrah to have reduced themselves, as they were said to have done, to the condition of public enemies, was it an usual practice among nations to annihilate their public enemies? To warrant such severity, a very strong case, at least, was requisite, instead of the miserable, constructive, and, at the best, doubtful case, which

which had been made out by the authors of this transaction. After all, too, that had been said, every mind must feel that it was harsh to enforce the punishment on the unoffending son of the nabob, and, at least, that Omdut ul Omrah's death imposed on the British government a strong additional obligation to investigate the circumstances of his alleged offences. But it was said, that these offences had not been personal, and that the heir was bound to make to us that reparation, and to afford us those pledges of security, which we had a right to demand of his ancestor. Reparation for what? The utmost actual injury which, even according to the elaborate, and certainly not very indulgent reports, of the Bengal government, we had sustained, had been an habitual delay in the provision of supplies; and, by way of reparation, we deliberately seize the whole country! But our 'security.'—Why, what was the amount of the danger? Suppose the late nabob to have been as hostile as he is represented; make, too, the iniquitous assumption that his heir was equally hostile, still, how far did their hostility endanger us? They had not a regiment in their service, nor a pagoda in their public treasury. "But they might be tardy in providing us with supplies." And, to guard against this danger, we hurl them at once from the throne! No doubt there might be occasions when a delay of supplies might be a very great evil, so there might be occasions, when the smallest particle of power in the hands of a foreign state, nay (to put a very strong case indeed,) when such a mere mockery and name of power as we had now left to the

nabob of the Carnatic, might, by a strange concurrence of events, prove most seriously detrimental to our interests, and, therefore, if the doctrine of our being justified in securing ourselves against every possible or conceivable danger was to be tolerated, we should be justified in levelling and destroying every thing within our reach, and effacing, as far as we could, every vestige of other independency than our own throughout the world.

A great deal had been said on a former night, as a great deal was said in the papers on the table, of the extreme moderation of the British government, both in their *arrangement*, as it was called, for the Carnatic, and in their having proposed to carry it into effect by the mode of friendly negotiation. As to the former, we had avowedly reduced the nabob to the condition of a mere puppet, without a single shied of his former power, as to the latter, we had authoritatively announced to him this arrangement, and, refusing to listen to any objection, had insisted on his immediate and unconditional acquiescence, on pain of having the very same arrangement carried into effect without his consent, and losing even the name of power into the bargain. Such have been our moderation! such our lenity! qualities which we might parade, but for which we should probably gain as much credit, as we should for having acted from a pure and disinterested benevolence towards the inhabitants of the Carnatic in determining to make the whole of that large territory our own.

On the whole, the hon. director said, he was decidedly of opinion, that not only was there nothing like legal evidence of the offences im-

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puted to the late nabobs of the Carnatic, but even no such presumption as an individual or a nation could act upon with any regard to justice, that, at least, all the inquiry practicable should have been made on the occasion, and that the omission of such inquiry left a suspicion very unfavourable to the authors of the late arrangement; that, at all events, mere presumption, and presumption so formed, could be no warrant for despoiling a family of a kingdom, that so strong a measure, even had it been otherwise justifiable, was not required for our security, and that it would be generally set to the account of unprincipled rapacity, and redound to the dishonour of the British name in the East. For these reasons, though he did not, in every point, perfectly accord with the terms of the Resolutions proposed, he entirely acquiesced in the scope and substance of them, and would support them by his vote.

Mr. S. R. LUSHINGTON.—Mr. Speaker; differing as I do entirely from the hon. member who has just sat down, from the hon. baronet who opened the debate on a former night, and from the hon. member, (Mr. G. Johnstone) who spoke from the floor, I shall state the reasons for that difference, for the consideration of the house. Without following each of those hon. members through the lengthened detail of their speeches, I shall endeavour to reply to the propositions they have laboured to establish, and which were, I believe, in abstract, these. That, in the beginning of the connection between the East India Company and the family of Mahomed Ali, the Company were indebted to them for their preservation and protection in the Carnatic, that, in the progress of that con-

nection, the Company received from Mahomed Ali repeated proofs of kindness and generosity; but that his government, and that of his son and successor, Omdut ul Omrah, was distracted by the interference of the Company, and that war and misery resulted to the people from the ambition and usurpation of their governments. That, after a long course of faithful and honourable alliance on the part of those nabobs, their posterity have been degraded without cause or justice; that this act of violence has carried its own punishment, for that we receive fewer resources by our possession of the Carnatic than we formerly derived from the willing hands of the nabob. Sir, believing, as I conscientiously do, that the exact reverse of these propositions is the truth; that the Company owe nothing to the father of Mahomed Ali, that to himself they were uniformly benefactors and protectors; that all the faith in the alliance with him was on their part, and all the treachery on his; and that after a long course of suffering and distress from his evil counsels, they have done what true policy, a just construction of the law of nations, and humanity to the people of the Carnatic, fully support; I shall explain to the house the grounds of this opinion. The misrepresentation which has been made of our situation on the coast of Coromandel during the administration of Anwar u Dien Cawn, renders it necessary for me to trouble the house with a short reference to our condition at that early period.

The hon. member traced, in this place, the progress of the connection of Anwar u Dien Cawn, and his successors, with the East India Company, and drew inferences from it, in direct opposition to those

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of the preceding speaker. He peculiarly animadverted on the mal-administration of the affairs of the Carnatic by the successive nabobs, relying on the authority of Mr. Burke's statements, and the communication of the several Indian governments. Having conducted the house to the treaty of 1792, he proceeded.

With the permission of the House, I will read the preamble of that treaty, as the best explanation of Lord Cornwallis's intentions in making it "Whereas a certain engagement was entered into between the hon English East India Company and his highness the nawaub of the Carnatic, bearing date 24th February, 1787, for the purpose of cementing an everlasting friendship with each other, and of contributing mutually towards the defence of the Carnatic, and countries dependant thereon, whereby it was stipulated that the said company should maintain a military force, and that the said nawaub should pay annually a certain sum of money arising from the revenues of the Carnatic, and should furnish sufficient and satisfactory security, under certain conditions expressed in the said engagement, for the regular payment of the sum stipulated to the said Company, and whereas it appears by the representations of the said nawaub, that the resources of the Carnatic are not competent to enable him to perform the stipulations in the said engagement; and whereas it further appears that the security which the said nawaub agreed in the above-mentioned engagement to furnish for the due payment of the stipulated sum to the Company, is in its nature inadequate to the end intended, wherefore the engagement afore-

said shall henceforth be considered by the contracting parties as annulled, and in lieu thereof the following articles agreed to" From this preamble to the treaty of 1792, it will be seen, that in forming a new treaty with Mahomed Ali, Lord Cornwallis had two principal objects in view, first, the generous one of relieving the nabob from a payment which he believed but then came to him, and his lordship accordingly reduced his annual payments from twenty-one to fifteen lacs of sicca pagodas; secondly, to obtain a real security for the payment of the subsidy to the Company in all time to come. The security provided was the mortgage of particular districts, which were to be taken by the Company in the event of failure; and that these districts might not be injured by that system of extortion and usury by which the people had been so cruelly oppressed, and the Carnatic so much exhausted, it was stipulated that his highness should not, on any account, grant tuncaws; and in order to render the breach of this part of the treaty more improbable and difficult, it was further stipulated, that any tuncaws which might be granted should become void, in event of the districts coming into the company's hands; thus providing a double security against the violation of this article of the treaty: the first part of the clause pledging the nabob's faith as our ally, the last part operating on the fears of the money-lenders.

The importance which lord Cornwallis attached to the security provided by the clause of the treaty here alluded to, and to the preservation of that security from acts of injury and waste, is sufficiently shewn by the relinquishment of six lacs of pagodas annually. This large cession had been unjustifiable
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on any other ground, but if the nabob had fulfilled this part of the treaty it had been well bestowed. The evils which had arisen from this system in past times were well known to lord Cornwallis, and his humane mind anxiously desired to prevent the possibility of their recurrence. We know what a scene the Carnatic had presented during these operations, they had been described by Burke in the following words. "In consequence of this double game, all the territorial revenues have, at one time or other, been covered by those locusts, the English soucars, not one single foot of the Carnatic has escaped them, a territory as large as England. During these operations, what a scene has that country presented! The venal European assignee supersedes the nabob's native farmer of the revenues, the farmer flies to the nabob's presence to claim his bargain, whilst his servants murmur for wages, and his soldiers mutiny for pay, the mortgage to the European assignee is then resumed, and the native farmer replaced, again to be removed on the new clamour of the European assignee. Every man of rank and landed fortune being long since extinguished, the remaining miserable last cultivator, who grows to the soil, after having his back scored by the farmer, has it again flayed by the whip of the assignee, and is thus, by a ravenous, because a short-lived, succession of claimants, lashed from oppressor to oppressor, whilst a single drop of blood is left as the means of extorting a single grain of corn. Do not think I paint, far, very far from it; I do not reach the fact, nor approach to it; men of respectable condition, men equal to your substantial English

yeomen, are daily tied up and scourged, to answer the multiplied demands of various contending and contradictory titles, all issuing from one and the same source. Tyrannous exaction brings on servile concealment, and that again calls forth tyrannous coercion; they move in a circle, mutually producing and produced, till at length nothing of humanity is left in the government; no trait of integrity, spirit, or manliness, in the people." It was under impressions such as are here described, that lord Cornwallis had written to the court of directors, in the year 1790, in the terms quoted by my honourable friend (colonel Allen) in the former debate; and after two years further experience and local observation of the state of the Carnatic, lord Cornwallis determined to relinquish six lacs of pagodas annually to the nabob, without acquiring any other concession for the company than the following clauses, intended to put an end to that clandestine influence which the worst Europeans had so long exercised at the durbar, and the right to collect the poligar tribute at the company's own expense and risk. "In consequence of this measure, whereby the districts mentioned in the schedule, No 2, become responsible for any arrears that may accrue in the payment of the above stipulated kists, the said nawaub agrees that he will not grant tuncaws, or assignments, on any account on the revenues thereof; and if, contrary to this condition, any tuncaws, or assignments, should exist when the said districts, or any of them, shall be assumed by the said company, such tuncaws, or assignments shall be declared by the said company and the said nawaub to

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be of no value, nor shall they remain in effect."

It appears to me quite evident, as I have already stated, that the intention of lord Cornwallis in framing this clause - was, first to bind the faith of the nabob against the breach of it, and, secondly, to operate upon the fears of the tunkhadars, so as to restrain them from encouraging the nabob to the secret violation of it. But the men who had established an usurious connection at the durbar, saw from the moment that the treaty of 1792 was published, that the faithful execution of these clauses would destroy their profit, by putting an end to that secret influence which had so long alienated the nabob's confidence from the local government of the company, and precluded the possibility of any reform in his administration; it was therefore suggested to the nabob, that as the clause contained a specific penalty which attached only upon the money-lender, his highness might break his faith with the company without fear of any evil consequence to himself, and as he had always contended, with eagerness and passion, for delivering up to his pretended creditors his territories and his subjects, he again indulged in this inveterate habit. The calumnious process of these tuncaws has been most ably and minutely described by lord Hobart, who was continually embroiled with the durbar and its agents on account of the breach of this part of the treaty. Whoever has read the minute and the letter of lord Hobart to the court of directors, dated the 15th of September, 1792, will recollect that lord Hobart regarded the granting of these tuncaws, by the nabob, as a fundamental violation of the letter and

spirit of the treaty of 1792. Nor was his lordship singular in this opinion, I speak from personal knowledge, when I say that all the best servants of the company entertained the same opinion; and we know that the government at home, and the court of directors, fully concurred in this conclusion, as appears from many of their public dispatches, and particularly the following, dated the 5th of June, 1799, to the government of Fort St George: "We have been advised by the earl of Mornington, that the nabob continues to oppose a determined resolution to the modification of the treaty of 1792, which has been repeatedly proposed to him. At the same time, we observe that his highness has distinctly acknowledged that he is in the practice of raising money annually by assignments of the revenues of those districts which form the security for the payment of the company's subsidy. As this practice is unquestionably contrary to the letter, and subversive of the spirit, of that treaty, we direct, that immediately upon the receipt hereof, you adopt the necessary measures for taking possession, in the name of the company, of the whole, or any part of the said districts, the revenue of which shall appear to be so assigned, and that you continue to hold the same, and collect the rents thereof, in order that the company may not, in future, be deprived of the only security which they possess under the before-mentioned treaty, to answer any failure in the nabob in the discharge of his subsidy; you will immediately communicate to the nabob the determination we have come to, and the orders you have received relative to this point."

I have

I have entered into this detail, to shew that the interpretation subsequently put upon this article of the treaty, (and the conduct of Omdut ul Omrah, in regard to it) by Marquis Wellesley and by lord Clive, was not an arbitrary or hasty construction of those noble lords, but that it was the impartial concurring judgment of the company's best servants at Fort St. George, of lord Hobart, of the court of directors, and of the board of control, for a period of seven years. If, therefore, the arrangement made with Azeem ul Dowlah upon the death of Omdut ul Omrah, and the absolute refusal of Ali Hussein to give the company a security against the future breach of the treaty of 1792, had rested on this ground alone, I should have contended that it was warranted by the letter and spirit of the instructions transmitted by the court of directors to India, (who had also expressly ordered that the country should not be restored to the nabob in the event of war, until a better arrangement could be made with him,) that it was justified by the law of nations, and the duties of humanity to our fellow-creatures. But the house knows that the arrangement made with Azeem ul Dowlah, is supported also upon other grounds, I mean, of course, the treacherous correspondence discovered at Seringapatam, coupled with the embarrassments opposed by the nabob, to the collection and movement of our supplies during the last war with Tippoo. I shall now briefly examine that evidence. This part of the question has already received a very ample discussion in India, where every argument and objection could be best felt and appreciated. It has been carefully investigated by men pos-

sessed of that knowledge of the Eastern languages and manners, which rendered them peculiarly fitted for this trust; men whose characters were never tainted by the breath of slander until the honourable baronet delivered his speech in the former debate, and who, far from deserving such treatment, are entitled, for their public honour and public usefulness, to the protection and applause of this house. The right honourable member, who spoke second in this debate, on a former night, delivered his sentiments with so much perspicuity and judgment upon the nature of this evidence, that I shall confine my remarks to those impressions which local knowledge, and a tolerable acquaintance with Persian correspondence, have suggested to me during the examination of it. In doing so, I shall follow the order in which the correspondence is recorded, not imitating the example of the honourable baronet, who, in pursuit of his purpose of throwing a ridicule upon this evidence, thought fit to postpone the burden of examining the cypher (which he knew to be the document of the most hostile tendency, and essentially necessary to give the true meaning of certain passages in other letters) until he had slurred over all the other documents. In examining the first number, I am reminded that the honourable director, in adverting to this evidence, stated that nothing could be more unjust than to attach any imputation upon the character or truth of Wallah Jah, or Omdut ul Omrah, on account of this correspondence, since the facts regarded as most obnoxious were communicated in the presence of lord Cornwallis and Sir William Meadows. Sir, it is evident to me
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that the honourable director has not accurately examined this correspondence. Those professions where Wallah Jah attempts to raise himself in the estimation of Tippoo by a gross calumny against the British government, his ally, were not made in the presence of lord Cornwallis and Sir W. Meadows, nor was any part of the correspondence communicated to either of them. The instance to which I allude, is where Wallah Jah speaks of the war undertaken by lord Cornwallis against Tippoo Sultaun, in the year 1789. Wallah Jah knew, perfectly well, that lord Cornwallis had engaged in that war from the generous resolution of protecting our helpless ally, the Rajah of Travancore; and yet Wallah Jah tells Tippoo Sultaun's vakeels, "May God long preserve Tippoo Sultaun, who is the pillar of the religion of Mahomed!"—Night and day I used to be absorbed in this contemplation, and to pray for his highness's prosperity. I call God to witness this fact, because the confederacy of the three allies was for the subversion of the Mahomedan religion. It is solely to be attributed to the divine goodness, that the prayers of us sinners have been accepted; believe it true that I from my heart desire the welfare of the sultaun." Three days afterwards, when lord Cornwallis and Sir W. Meadows were present with the vakeels, Wallah Jah took occasion to observe, "that we (the vakeels) considered him to have been an enemy; whereas he declared in the presence of God, that he was not, and is not; that, on the contrary, he was a friend and well-wisher, and that he had opposed the breach between your majesty and the allied states to such a degree, that every one

decided, in his own mind, that inwardly your majesty and his highness were one, and he desired us to ask lord Cornwallis and Sir W. Meadows, who were present, whether he said true or not." Every person, acquainted with the situation of Wallah Jah, knows that he did oppose the war, and the cause of that opposition. We know he feared, if war did take place, that lord Cornwallis would be necessitated to assume the temporary possession of the Carnatic; and rather than this should happen, Wallah Jah was perfectly willing, and anxious, that the Rajah of Travancore, like himself, a helpless ally of our government, should be abandoned by the British government to the violence of Tippoo. Let those who are acquainted with the mind of lord Cornwallis judge what would have been his feelings, if Wallah Jah had told the vakeels of Tippoo, in his lordship's presence, that he had attacked their master, not in the defence of the Rajah of Travancore, but to subvert the Mahomedan religion.—This communication was, however, made by Wallah Jah, but to the vakeels in secret, not in the presence, or with the knowledge of lord Cornwallis; far, therefore, from considering the offensive nature of the first speech to the vakeels, on the 10th of June, as done away by that made in the presence of lord Cornwallis, on the 13th of June, or that any part of the criminality of the whole of this correspondence is explained by any communication that took place with lord Cornwallis, it appears to me that the reference made to lord Cornwallis and General Meadows in the presence of the vakeels, was one of those studied contrivances in which his highness was so fertile,

tile, and by which he endeavoured to gain, by general professions of friendship for Tippoo in the hearing of lord Cornwallis, the confidence of the vakeels in his previous defamation of his lordship's motives for entering into the war.

In the few remarks which the hon. baronet bestowed upon the cypher, he declared that the use of such instruments was a common occurrence in India, and that it was impossible to conceive a cypher like this, so simple, and limited in its expressions, capable of being intended or used for any treacherous or hostile purpose. I certainly differ entirely from the hon. baronet in his opinion of the frequent use of cyphers of this description in India; in the affairs of private life such instruments never are used, and even in political transactions the use of a cypher is a very rare occurrence. But the hon. baronet would prove nothing by proving the use of such cyphers in political correspondence in India, because Wallah Jah and Omdut ul Omrah were wisely interdicted by the treaty of 1792 (as they had been by the treaty of 1787) "from entering into any negotiations or political correspondence with any European or native powers without the consent of the said Company." It has, however, been suggested, that this cypher was intended to conduct a marriage between the families of Tippoo and Wallah Jah. I will not detain the House by going into all the reasoning founded upon other parts of the evidence, written and oral, to shew the absurdity of this proposition, but I will state plainly, upon a view of the cypher itself, the utter impossibility of applying it to any purpose of marriage. The only expression in it which might lead to such a suppo-

sition in the mind of a person ignorant of Eastern manners and languages, is the word 'ring!' but as a ring is not used in Eastern marriages, it can have no reference to that ceremony. Rejecting, therefore, this absurd, irrational proposition, which is directly contradicted by the evidence of the vakeels, and all the circumstances so forcibly stated by the right hon. gentleman (Mr. Wallace) in the former debate, I must look for a different explanation of the intention of this cypher. Upon the first view of this document, the opprobrious terms in which the three allies are designated, cannot fail to strike attention, but it has still been asserted to be so limited as to preclude the use of it in any matter of policy or secrecy. This assertion made a due impression upon me when I first heard it; and I felt it my duty to put it to the test by composing a letter that should describe an atrocious intention (such as the massacre at Vellore) and then endeavour to render it into the language of this cypher, so that it would be unintelligible to a person not possessed of it, and easily understood by a person having the cypher. I can assure the hon. gentleman opposite that I found no difficulty whatever in applying this cypher in this manner, and further, that this sort of metaphorical cypher best corresponds with the genius and character of the people. The next document which was particularly objected to by the hon. baronet was, the translation of a copy of a letter of Tippoo Sultaun to Wallah Jah, in which some of the terms are actually used. The hon. baronet asked, as this was only a copy of a letter, "who could say that the original was ever sent?" it might have been composed by Tippoo

for amusement, and honourable members in this House well know that themselves sometimes composed letters which they did not afterwards send." Sir, when I recollect the manner and the place where this letter was found, that it was discovered in the office of Tippoo Sultaun, and when I recollect the remarkable regularity of the sultaun in matters of business, I cannot subscribe to the puerile idea of the hon. baronet, that this letter might have been composed for amusement. The hon. baronet, and others of us, may write letters, or compose speeches intended to be spoken, and which we have no opportunity of speaking, but in affairs of state, when I find in an office of state a copy of a letter sent, I cannot reconcile to my mind the absurdity of denying all credit to it because there is a bare possibility that it might not have been sent. This sort of objection may be very proper in a court of law, but I trust that those who have to guard the safety of this country from foreign treachery, will not wait for this sort of evidence before they act against impending danger. The objection made by the hon. baronet to the next number was, I think, of a nature equally unreasonable. It is a translation of a copy of a letter from Tippoo Sultaun to Omdut ul Omrah, the nabob of the Carnatic, and as this letter is dated Nov. 29, 1792, when Omdut ul Omrah was not nabob of the Carnatic, this circumstance made the letter look to the hon. baronet like a forgery. The title given to Tippoo Sultaun must be regarded as the act of the translator, who would not waste his time in translating all the nonsense of these titles; but knowing that Omdut ul Omrah was nabob of the Carnatic at the time he was

translating the letter, he gave him the title which he then possessed—such is the obvious solution of this great mystery. The next letter which I shall notice is No. 11—it is from the vakeels of Tippoo to their master, where Omdut ul Omrah says: "You will give my respectful compliments by way of remembrance to his majesty, and inform him that he may consider me from my heart attached to him; and that, please God, at a proper occasion, my fidelity towards him shall be made manifest to him." So, I am disposed in the examination of this correspondence to make the largest allowance for the exaggerated professions of friendship which the natives, and particularly the princes, of India, are in the habit of making to each other, but when those professions are accompanied by actions, we can no longer doubt the sincerity of the intention. I remember what anxiety the British government suffered from the treacherous conduct of Omdut ul Omrah, in promising money which he afterwards withheld, and from the hostile obstructions of his officers to our supplies in the war against Tippoo in 1799; and I do firmly believe that he did then fulfil the professions which he had made in 1792 to the sultaun, to the utmost limit of his power, consistent with the prudent concealment of his purpose from Lord Wellesley's discernment. The hon. baronet treated with a considerable degree of ridicule, "a translation of a note written with a pencil upon a half-sheet of post paper, with an envelope of English paper, by his highness Omdut ul Omrah, apparently addressed to Gholam Ali Khan." This letter, though signed Gholam Hussein, was imputed to Omdut ul Omrah, and without
any

any evidence was assigned to Gholau Ali Khan.

These objections of the honourable baronet are easily removed. Omdut ul Omrah often signed the name of Gholau Hussein to his letters, and frequently made use of English paper and a pencil. I have myself received a letter of this description from him; and Mr. Edmonstone, the translator, than whom, perhaps, there never was a gentleman in India more skilful in Persian writing, knew Omdut ul Omrah's hand-writing perfectly well. In regard to the letter being apparently addressed to Gholau Ali Khan, it is almost impossible to assign it to any other person. From the contents of the letter, it was certainly addressed to a syeed in the confidence of Omdut ul Omrah, about the person of Tippoo, and connected with Ali Rheza Khan such was Gholau Ali's situation; he was a syeed, and had been, jointly with Ali Rheza, the channel of communication between Omdut ul Omrah and Tippoo, and was still at Seingapatam. The last letter which I shall notice is one written by Omdut ul Omrah to Gholau Ali Khan, in the year 1797, when he was nabob of the Carnatic. To this letter and the contents of it the honourable baronet objected, as being of the most trivial nature, and in regard to the communications alluded to in it as having been made by two of Tippoo's agents, Mahomed Ghyass, and Mahomed Ghose Khan, "it was not possible to consider that they could be charged with any communications hostile to the British government, being men of low rank and character." I am perfectly aware that these men were very different in their qualities and dignity from Gholau Ali Khan and Rheza Ali Khan; but I

contend that they had enough of both for any purpose of treachery or violence against us. This is the sort of person generally employed in India upon such occasions, and as a proof that such is the custom, I will here read to the House a passage from Orme's history, very applicable to this question. Orme says "The secrets of the princes of Hindustan are very difficult to be discovered: in affairs of consequence nothing except in the most equivocal terms is ever given by them in writing, and whenever the matter is of great importance or iniquity, it is trusted to a messenger, a man of low rank and great cunning, who bears a letter of recommendation testifying that he is to be trusted in all he says; so indefinite a commission reserves to the lord who gives it the resource of disavowing the transaction of his agent, and this he never fails to do whenever the iniquity is discovered." Deriving my knowledge of India from this pure authority, and from a local residence of eleven years, I deem it my duty to state to the House, that I regard this correspondence as the evidence of a treacherous spirit of hostility on the part of Wallah Jah and Omdut ul Omrah, and far from being surprised that the proof is not of that nature to satisfy the interested feelings of the partisans of those nabobs, or the doubting minds of some few of the gentlemen opposite, I am rather surprised that so much has been discovered in writing; for I must repeat upon my own knowledge, what I have already stated upon the authority of Orme, that in matters of great iniquity seldom is any thing committed by the natives of India to writing, they thoroughly understand the arts of verbal prevarication: in the examination of a

witness, so little does he regard the truth, that he will vary his testimony according to his feelings and interests, and according to the impression which he thinks his first assertion may have made upon you. The exposure of his verbal contradictions he scarcely regards, and never considers his case hopeless until a document appears against him. In this case I am satisfied from the evidence in writing, connected with what I know of the conduct of Omdut ul Omrah during the war against Tippoo, that he had cherished the counsels and intentions of that prince, defamed the character of our alliance, and had violated the letter and spirit of the treaty of 1792, for purposes hostile to our interests and security. It has been contended that, although the hostile conduct of Wallah Jah and Omdut ul Omrah had forfeited their right to the Company's protection, yet Ali Hussein, the innocent heir of the latter, not having partaken in his guilt, ought not to have suffered for it. Sir, I am sure no person could feel more sincerely than lord Clive for the necessity which called upon him to act against Ali Hussein, and the whole of the proceedings upon your table shew how anxiously and humanely that noble lord endeavoured to preserve to Ali Hussein a situation of affluence and dignity. But lord Clive was not at liberty to intrust the rights and security of the Company in the Carnatic to those very ministers who had been the counsellors of Omdut ul Omrah, and were the guardians of Ali Hussein, and therefore he exercised that which is the right and duty of nations, to call upon the son to repair the mischief of the father.—Having thus shortly

stated to the house my opinions upon the evidence, founded upon a tolerable knowledge of Persian correspondence, I have no hesitation in giving it as the unbiassed feeling of my mind, that lord Wellesley and lord Clive would have deserved the reproaches of this country, if, knowing as they did how grossly the treaty had been violated in granting tuncaws, and in maintaining a secret hostile correspondence, they had been restrained by any fear of the personal enmity which it might excite from insisting upon an arrangement like that concluded with Azeem ul Dowlah. For nearly fifty years the Company had been wasting then other revenues, and accumulating an immense debt in support of the expences of their connection with Mahomed Ali; from the year 1760 until 1786, the company were satisfied to protect the whole of the Carnatic for a payment little exceeding four lacs, leaving his highness to riot in corruption and personal ostentation upon a revenue of 26 lacs annually, and when at length this connection is broken, after the waste of the Bengal revenues, after the waste of torrents of British blood, there is a debt of ten millions upon the country, composed in some instances of bribes, paid in the shape of bonds, for obstructing the Company's government, and equal in its amount to all the nabob ever paid to the Company for their protection.

Having already described, from the works of Baïke, the nature of the nabob's government down to the year 1782, and subsequently from the opinions of lord Macartney, sir A. Campbell, lord Cornwallis, and lord Hobart, I may assert, without any appearance of arrogance, upon my own personal

personal observation, that all I ever saw of his highness's government, either at Madras, where I resided six years, or in the interior of the provinces where I continued five years, has fully confirmed to me the literal truth of every thing stated by those illustrious persons. With such impressions of the calamity resulting from this management, I could not but rejoice in the measure which extinguished the source of so many evils, and as there seems to be a doubt entertained of the benefits which have been derived to the people from the exchange of government, I shall explain to the House, in a few words, in what great particulars this difference between the government of the company, and that of the nabob of the Carnatic, consists. And first I would say a few words upon the pecuniary consequences of this arrangement, which have been so much misstated by the honourable member (Mr G. Johnstone) who spoke from the floor. That honourable member has declared that the company have received, since their possession of the Carnatic, less, as a net revenue, than they before derived as subsidy from the nabob. In the opening of his speech that honourable member avowed that he took shame to himself for not having studied the voluminous papers before the house, so as to speak in the manner he desired upon this great question; and certainly, Sir, the part of his speech in regard to the revenues of the Carnatic, is a very perfect illustration of the justness of this his confession. Had that honourable member read the statements which (at my instance) have been laid upon the table of this house,

he would have seen that the net average revenues derived from the Carnatic since the treaty made with Azeem ul Dowlah by Lord Clive, have been nearly eighteen lacs of star pagodas yearly, which is exactly double the amount received in subsidy annually from Wallah Jah or Omdut ul Omrah. Such are the happy consequences of this arrangement upon the company's finances. The house will, I trust, pardon me if I detain them for a short time longer in explaining the effects of the change of government upon the people of the Carnatic. Here Mr Lushington expatiated on the bad system of the nabob's government and the beneficial influence of the company's institutions, and concluded—Upon the whole then, Sir, I rejoice in the treaty made with Azeem ul Dowlah, I see that it is justified by the law of nations, that it is in the highest degree beneficial to the company, and above all, that it dispenses happiness to millions; I shall therefore cordially vote against the honourable baronet's motions, and in favour of the previous question and amendment, as proposed by the right honourable gentleman who spoke second in the former debate.

The House then became clamorous for the question, when a division took place.

For the previous question - 128

For the Resolution - - - - 17

Majority - - - - -111

Before the gallery was opened, the house again divided on the 4th Resolution,

For the previous question - 124

For the Resolution - - - - 15

Majority - - - - -109

Sir THOMAS TURTON, on his return

turn into the house after this division, observed, that the numbers on his side were so few, that he should not now proceed to move his other two Resolutions, but would consent to postpone them, if the right hon gentleman (Mr Wallace) would consent to postpone his Resolution of approbation.

Mr. WALLACE said, that after the complete defeat which the cause of the hon. baronet had sustained, he might well forbear moving any Resolution of Approbation, for what approbation could be stronger than that testified by the majorities with which the hon. baronet's Resolutions had been rejected? He saw no reason, however, for entering into any discussion on a future day; but would now read the Resolution with which he intended to close the business. It was as follows. "That it is the opinion of this House, that the Marquis Wellesley and Lord Clive, in their conduct relative to the Carnatic, were influenced solely by an anxious zeal and solicitude to promote the permanent security, welfare, and prosperity of the British possessions in India."

Sir T. Turton determined not to proceed any further, but moved that the other orders of the day be now read, intimating, that on Friday, June the 17th, he should move his other two Resolutions. The Chancellor of the Exchequer and Sir John Anstruther were perfectly indifferent when the hon baronet should move them. What had passed in the debate of this night, and in the former debate, had completely shewn how unanswerable were the arguments which had been urged on their side; and they were confident that when the public saw the state of the divisions, after so many boasts, and so many procrastinations, they would not fail to

form a just opinion of the nature of the whole proceeding.

Friday, June 17,

CONDUCT OF MARQUIS WELLESLEY

Sir THOMAS TURTON, in rising pursuant to his notice, felt it necessary to premise that, whatever might be his individual impression, it was not his intention, in consequence of his deference to the decision of the House, to submit any Resolution directly tending to cimate the character of the noble person, whose measures gave rise to the Resolutions he had to propose. But he considered it necessary, in vindication of the justice of this country, that that house should come to some Resolution respecting the nature and circumstances of the transactions in the Carnatic, and also declaratory of its intention to discountenance such proceedings hereafter. The hon baronet, therefore, reserving himself for that opportunity which would be afforded him by the indulgence of the house in reply, should then content himself with moving his two remaining Resolutions, as follow: "That it appears to this House, that the person of the prince Ali Hussein, the rightful nabob of Arcot, was committed to the custody of the said Azeem ul Dowlah, who had, through the undue exercise of the power of the Company, usurped his dominions, and that the said prince, Ali Hussein, notwithstanding the frequent remonstrances and representations made to the British government, by himself and others, of the humiliating and degrading state to which he and his family were reduced by such confinement, notwithstanding his representations of the imminent danger to his life, which he anticipated from being placed

in the power of his enemy and the usurper of his throne; was suffered to continue in such custody, until the 6th of April, 1802, when he died

That policy, as well as justice, loudly demands the vindication of the character of Great Britain in India, from the reproach of the above transactions, and that the interests, if not the preservation, of our empire there, call for some public act, which will convince the native princes, that a religious adherence to its engagements, will, in future, characterise the British government. Consistently with these sentiments, and at a time when our implacable enemy attempts to justify his atrocities and despotism in Europe by the example of our conduct in India, it is peculiarly incumbent on the House, in the name of the people of England, to declare openly to the world, that the British parliament never did or will countenance any act of oppression and injustice in its Indian government. And, as evidence of its sincerity, this House resolves forthwith to appoint a committee, to inquire into the before-mentioned act of the assumption of the Carnatic, the alleged motives thereof, and the particulars of the treatment of the family of our late ally, the nabob Mahomed Ali, and of the prince Ali Hussein, the lawful successor to the musnud of the Carnatic; and that it be an instruction to the said committee to inquire into, and to report, whether any, and what reparation can, or ought to be made to the said family, for the injuries they have sustained by the usurpation of the said Azeem ul Dowlah; and that they may further report their opinion by what means the

British character can be most effectually rescued from the obloquy and odium incurred from the above conduct of its servants, and how the British interests in India may be best secured from injury thereby. The first Resolution being read, the gallery was cleared, and a division took place.

Ayes - - - - - 11

Noes - - - - - 34

Majority - —23

On re-entering the gallery, we found

Sir SAMUEL ROMILLY on his legs, stating, that although convinced of the culpability of Marquis Wellesley, he did not impute to him corrupt motives or personal feelings. He had acted in a manner which he conceived to be for the advantage of the East India Company and the country: much was he mistaken in so conceiving! But the question was not upon the motives by which the noble marquis was actuated, but whether what he did was not prompted by a false ambition for the aggrandizement of his country, and whether that ambition was not gratified by the violation of every principle of justice. What effect would such conduct have on the British character? It was said the good of the country was promoted. It was for the House to decide on this; the materials were before them, every paper was produced, they were masters of the subject, and it was for them to determine whether they should, or should not, make these actions their own, and sanction a policy, as it appeared to him, so remote from wisdom or justice. This was a serious and important question; and, for the honour of the British character he was grieved to witness such a division as had just taken place. Of late years, many wick-

ed and designing men had, by their writings and actions, endeavoured to bring the parliament of the country into contempt, they had maliciously attempted to bring disgrace on the legislature of the empire, but he would seriously ask, whether all such persons could do, or any species of malice or abuse, had one-thousandth part of the effect of such a circumstance as this going out on a question which involved the national character, in the nearest degree, for policy, justice, and humanity, with only four or five members more than were absolutely requisite to decide on the most unimportant business. This was not a sound for the moment; it was not a transaction to be speedily forgotten. The papers now before them would be read and considered by future ages. It was not the character of the governor-general of India alone, it was the character of the British nation which would be recorded and commented on by the historian. From his pen it would appear to future times, that, after a lapse of years, the affairs of the Carnatic were brought before the British parliament, that every paper and species of information was in their view; that the subject had been frequently and amply discussed, and that even such was the notoriety of the circumstances, that not a single member could be excused for not being perfectly conversant with them. It would then be seen, that they had not the manliness to adopt and applaud those measures, but that they endeavoured to get rid of a decision upon them by miserable previous questions, and other unworthy expedients. It would be seen, that the very confidential ministers of the crown had never delivered their opinions on

these vast objects of policy and justice; and those who read the story would wonder what subject could possibly be of sufficient importance for them to speak upon. They would be in amaze, and utterly at a loss to divine how they came repeatedly to vote, with willing majorities, on so grand a question, without ever having the condescension to express their sentiments, or offer their reasons for so determining. When he entered the house, he had no design of being the first to bring on this discussion, and was astonished to see that such a task fell on him by the mode in which the question (on Sir T. Taiton's last Resolution) was on the point of being disposed of. Thus situated, he might, perhaps, be guilty of some repetitions. He would not, however, repeat the subsisting treaties between the nabob of the Carnatic and the East India company, or debate the question whether he was a sovereign prince, or a vassal of the company. In one respect, at least, he was independent: he was put in the situation of a sovereign prince by the treaty negotiated with him by the company. Even after the pretended records of his treachery were discovered, he was not used as a rebel who had thrown off his allegiance, but, as an independent prince, required to enter into a new treaty. The learned gentleman then went into a detail of the papers found at Seringapatam, and read extracts from the letter from Marquis Wellesley to Lord Clive, on the occasion of appointing an inquiry thereupon, to shew that a resolution was formed, whatever might be the result of that inquiry, to seize the civil and military government of the Carnatic. These letters were not considered as sufficient

cient evidence against the nabob, or it would have been unnecessary to examine witnesses on the occasion, neither did the evidence of Ali Rheza prove that the nabob was hostile to the British, on the contrary, it shewed that the most decided enmity subsisted between him and Tippoo. It was, therefore, monstrous to say that there was any thing in these proofs, as they were called, to affect the nabob --- He then commented at length on the instructions given to the commissioners appointed to examine the witnesses, and asserted, from the parts he read, that they were intended to intimidate them to give such evidence as would be agreeable to the Company, upon whom they were intirely dependent. Such witnesses would not have been received in this country, and he was glad to see his learned friend (the solicitor-general) taking notes of what he said, as, being accustomed to the justice of Britain, he would doubtless be prepared to shew that equal justice had been distributed in India. This examination must have been either judicial, in which case the accused person ought to have been heard in his defence, or it must have been for the purpose of publishing to the world a justification of the future measures adopted in consequence of it. If the latter, it was more than ever incumbent on the commissioners to be careful that no grounds of doubt should be left. But what was the case? The examinations, though taken in the Persic language, were put down in English, and the reason assigned for this was, that from the first question put to Ali Rheza, the examination, it was found, would not take the turn expected.

Thus, when every thing turned

on the construction of an ambiguous sentence, and whether certain words were meant as compliments, or had some concealed meaning, instead of writing down these words, the commissioners exercised their discretion, and translated them into another language. Both the witnesses examined fully exculpated the nabob. The evidence of Ali Rheza went to prove nothing, and that of Gholam Ali Khau was reported by the commissioners to be full of contradictions. But what was the construction put on these examinations by Lord Wellesley? He would not give up his favourite hypothesis against the nabob of the Carnatic, but he said, "because these witnesses will give no material evidence; they must have a knowledge of some atrocious fact, which not even our assurances of personal forgiveness, and even reward, will induce them to disclose." He would venture to say, that such a construction as this was unrivalled in the annals of injustice. The collection of the judicial atrocities of the darkest times, compiled by Voltaire, did not contain such a fact. Although it was known to the witnesses that the more atrocious their discoveries were, the more agreeable it would be to those on whom they depended, yet, with all the promises and threats held out in the instructions before their eyes, they did not confirm a single suspicion entertained of the connection between Omdut ul Omdah and Tippoo Sultaun. There were other witnesses examined, but because their testimony did not establish any fact consonant to the wishes of the governor-general, no notice was taken of the facts they communicated. The learned gentleman

man now turned his attention to the cypher, and commented on the very great improbability of any such mode of correspondence being adopted in a communication on indifferent subjects, if even it had been intended as the vehicle for secret matters. It was monstrous and ridiculous to say, that there was any thing mysterious in this, where all the mystery consisted in calling Tippoo "the pillar of the faithful," the English, "the new-comers," and Wallah Jab, "the well-wisher of mankind." By the same rule Gibbon's History might be called a cypher, when the attributes of persons were assigned to them as names, as Virgil's being called "the poet," and Claudius "the emperor." If such serious and melancholy consequences had not followed from such proceedings, they would have been more worthy of ridicule than serious discussion, and might, instead of having resembled a tragedy of Racine, have had the appearance of a foolish tale. When the inquiry was first instituted, the object was said to be, to guard against the power and treachery of Omdut ul Omrah; but from his death happening in the interim, the same design was executed against a child who could have no power, nor be supposed disaffected towards the British. Before these measures could be justified, it ought to be proved, that the son was a party with the father (if he was guilty), instead of having recourse to that monstrous proposition which was laid down to the unfortunate Ali Hussein, namely, that Omdut ul Omrah having acted in such a manner as to become a public enemy, he, his child, by inheritance, entered into the condition

of his father. But this curious and unfounded principle of the national law did not enter into the conception of the parties, till occasion called on them for some such apology. If Ali Hussein would have consented to become the "proper instrument" of the governor-general, it would never have been heard of, nor would those delicate hints of his not being the son of Omdut ul Omrah have been circulated.

Azeem ul Dowlah, now said to be the legal heir, would have been left to the poverty and obscurity from which he was elevated to the musnud. Twenty-four hours were given for the unfortunate prince to determine on the acceptance of the terms offered him by the Company. This was called a treaty, but it was not so, it might be a cession, or a surrender, but could not be called a treaty, where one of the contracting parties gave up independence, and indeed every thing he possessed. The prince, young as he was, determined not to disgrace the memory of his father; he rejected the proposal. and if there was a heart in the house, not entirely devoid of humanity, they must feel in the most acute manner, when he read the narrative giving an account of his noble behaviour. Here the learned gentleman read the description of the conduct of prince Ali Hussein, as transmitted by Lord Clive. It had been often observed, that there was a short interval between the deposition from the throne, and the grave, it was verified in this case. He did not mean to say that violence was used, only that so it happened. The defenders of the measure said it was good for humanity, and for the inhabitants of the Canatic, to have an European substituted for a native government. If this were true,

true, it ought to have been done openly, and by force, and not by having recourse to base arts, false pretences, and a mockery of justice. He hoped some of the ministers would now break silence, and give a satisfactory statement of an affair which seemed so horrible to those who agreed with him. He could wish the statesmen among them to defend its policy, and his learned friend (the solicitor-general) to shew that it was not a perversion of justice. How could they reconcile it to their consciences, to give silent votes on what so deeply concerned the character of that empire of which they were chosen the directors? For this was not a vote upon the conduct of Marquis Wellesley, but upon the honour of the British nation. It was to declare, whether the acts of government in India were consistent with British justice, and to give an example to all future governors in India. It was either to tell them that we were determined to be just, or that the house would sanction and approve of seizing the dominions of our allies, and of violating every principle of justice and humanity.

LORD CASTLEREAGH observed, that from the manner in which this question was discussed, it might be supposed that it was only in its commencement, but he would ask gentlemen whether they could so soon forget that the House had already come to a grave decision upon it? The House had resolved, by a great majority, that there was no ground whatever for the most material part of the charges relative to the Carnatic Question, and negatived the motions containing such charges. The House was then in the singular situation of being called on to give redress in a

transaction, of which it had already, by its vote, expressed its approbation. No question had ever met with a more marked decision on the part of parliament than the present, if he was to take the sense of parliament from numbers. The learned gentleman who spoke last, observed, that ministers had taken no part in this discussion. That was not precisely the fact; but if they took so small a part it did not arise from any want of conviction as to the opinion they entertained on the subject. For his own part, he entertained great doubts whether the speech of the learned gentleman would produce any good. Did he think any public utility could arise from the House of Commons reversing the decision it had come to? and if he did, ought he not to blush at the idea of his friends not having brought the question forward before this time? Did he think that the House could so far forget its character as to reverse a decision it had so lately made? If this was the opinion of the honourable baronet, he ought to more than blush that no effort had been made, before this time, to call the attention of parliament to a transaction which had occurred so many years ago. If his object was to blacken the character of the British Parliament throughout Europe, and to shake the faith of the country by this posthumous effort of his faculties, never were faculties less usefully directed. He could not see any reason of practical utility that could have induced him to pursue this course, unless it was to establish a maxim, which had already been held forth in that house, that every man who went out to India discarded all ideas of public virtue from his mind. He could not

suppose

suppose a greater injustice, than to hold forth a notion that individuals of high situations would so far forget every thing due to themselves and their country, as to abandon the principles by which they had acted all their lives before. The House was now examining a transaction which took place in 1801. Five years ago a charge was made against the individuals concerned in that transaction. Their character was not to be trifled with, then innocence was to be presumed until the contrary was proved. Would the right honourable gentleman opposite (Mr Sheridan) have suffered this subject to be at rest for ten years, if he thought he could have made out a case? That right honourable gentleman had said on a former day that he did not wish to interrupt the harmony which prevailed in the government which he supported. Did he mean, then, to impute to that government such gross negligence, and such an abandonment of all the principles of justice, as to suppose they would have passed over without notice, this transaction were it so nefarious a one as it was described to be? Would the right honourable gentleman have sacrificed such a question as this to the convenience of a party? Was it likely that he, who had taken so distinguished a part in almost all other questions where there were imputations of gross injustice against individuals, would have committed such an abandonment of his public duty, as not to come forward and vindicate the national character? He was not disposed to rest this question on any thing like personal authority, but he was justified in supposing, that, had it been such as was lately

described, it would have been brought forward by others long before this time. He had, however, much better evidence, namely, that which was contained in the papers themselves. To go into a detail of these papers would extend the discussion far beyond the limits of a single debate. He would merely state his view of the outline of the business, without pressing on the patience of the House. The question could only be argued on the ground of a treaty. He did not mean to contend that the sovereigns in India were not possessed of rights which the British government could not shake without committing acts of injustice. But the question now to be considered was a mere question of treaty, and he was prepared to argue, that in the treaty made with the Arcot government, there were stipulations which prohibited the nabob of Arcot from holding any correspondence whatever with any native power, unless the consent of the British government was previously obtained. He suspected that the learned gentleman was not able to make a connected defence for the princes of the Carnatic, in consequence of his having taken up the question in this manner, and of his having at the end of his speech, entered into a dramatic declamation on the interval between the imprisonment and the death of princes. This allusion could not have applied to the question; and therefore, in making it, the learned gentleman could only have been wasting his strength. He contended, that it was not the duty of Marquis Wellesley to rest the safety of the British dominions in India on any rule of proceed-

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ing which might be laid down in parliament, but on the general principles of policy and jurisprudence. The learned baronet had argued, that the grounds on which the removal of the family of Arcot had taken place, were contrary to the rules of evidence, but he did not consider, that it was not a question between one subject and another, or between a sovereign and a subject, but that we were trying a question with a sovereign prince, with a co-estate Lord Wellesley, therefore, could only act on the principles of the laws of nations; on those principles, according to which a declaration of war would be justified. When the public safety required any particular mode of proceeding, it was not necessary to have such evidence as would be required in a court of justice. When during a period of profound peace, Sebastiani had been sent by Buonaparte to Egypt, to shake the foundation of all our political and commercial relations in that part of the world, did the house of commons, at the time the question of war came to be discussed, require any more evidence of that fact than public rumour? They merely went on the question of fact presumption, in judging as to what were the views of the enemy. When a treasonable correspondence was carried on between certain persons in Ireland, and other persons at Paris, it did not require the strict rules of evidence to detect it. Now, what were the circumstances that came out in evidence at Madras? Would the learned gentleman say, that no documents but those on the table had been found at Seringapatam? The pincus of the Carnatic did acknowledge that they carried on

a correspondence with the government of Mysore, and he wished gentlemen to see what was the nature of this correspondence, and how far it was a breach of the treaty that existed between the British government and the nabob. The first period at which the correspondence took place, was in the year 1793. Whatever the nature of the correspondence might be, it must, however, be allowed, that the same having been carried on at the time of the treaty made by Lord Cornwallis, it was amply sufficient to justify the jealousy of our government, and Marquis Wellesley would have acted a strange confiding part, highly detrimental to our interests, if, after the discovery of such correspondence, he had left the government of the Carnatic where he found it.

Here the noble lord referred to the several letters written by the nabob to the prince of Mysore; and said he should prove that the nabob of the Carnatic knew these letters were in direct violation of the treaty. They were not letters of mere compliment, but they were communications of political importance, which he knew he could not openly convey without breaking the treaty. But they were made privately, and if the nabob only wanted to convey expressions of mere civility, as were stated, that might be easily done upon giving a proper intimation to the government. It was said, that the correspondence was for the purpose of bringing about a marriage between the two families. If that was the case, what occasion was there for making use of a private cypher, which had no reference whatever to marriage? It was a cypher by which hatred had generally

generally been expressed by the native powers to the British government, and that was a curious sign to make use of in negotiating a treaty of marriage. Although, when he first read these papers, it was impossible for him to think that they were an innocent correspondence, yet, from his intimate habits of intercourse with Lord Cornwallis, he inquired particularly of that noble person what was his private opinion as to this supposed treaty of marriage, and what his knowledge was of that transaction. He expressly stated he had never heard of any such treaty of marriage, although he was said to have been privy to the treaty. It had been asked what good or what object could Mahomed Ali have attained, by conspiring with the Mysore government against the interests of Great Britain, particularly so, when he was a man of good understanding, and must have known how fruitless his attempts might be? It was no difficult thing to suppose, that the family of Arcot could have taken such a view of their right to empire in that country, as might make them indulge a feeling that the effective dominion of that country ought to belong to them, and not to the India Company. They might, partly from a feeling of ambition or mortified pride, and religious prejudices, imagine that they might have a more extended sovereignty over the country, and shake the power of the British government. These views might induce them to correspond with the Mysore government. Mahomed Ali, in a letter to Hyder, spoke of arms, here there was nothing about a marriage, the letter talked of their long enjoying the prospect of the sea from an eminence. What

could that mean but a secret wish that the English gentlemen (to use their own expression) should be expelled from the country, so that they might have an uninterrupted possession of the whole? But this was not the only political correspondence that took place between the Arcot family, and the family that was hostile to the English interests in India. A rooted jealousy and hostility of the British power could plainly be collected from the whole correspondence. It was a wise jealousy of Lord Wellesley to take alarm at this correspondence. He was persuaded there was most evident proof of hostility, yet it did not rest on Lord Wellesley's judgment alone, but was the favourite opinion of every governor in that country, that the family of Arcot, as well as the Mysore, were plotting the overthrow of the British power.

The very arrangement now so much reprobated as injurious to the British character, was the same which Lord Cornwallis had recommended before that time as necessary to be acted upon, and as beneficial to both the parties. If it should be contended, that the punishment went beyond the measure of fair security, there might be an argument as to the question of the punishment.

The next question was, whether it could be considered as harsh to extend the severity exercised towards the father to the son of the nabob? The learned gentleman who argued so much on criminal law, knew very well, that, in cases of treason, under which principle this question must be decided, the innocent must be involved in the consequences of the guilt of others. When the house of Stuart was driven from the throne of this country,

country, the whole of the descendants were excluded also. It cannot be supposed that such descendants would hold different sentiments from their ancestors. Was it to be supposed, that the son of Mahomed Ali would not entertain the same hostility against us which his father had done? and could Lord Wellesley suffer him, consistently with the British interests in India, to remain on the throne from which his father had been removed? He might have had a disposition favourable to the British, but he was surrounded by a tribe of harpies, who had claims and expectations upon him, who altered his disposition, and persuaded him to think that justice would be done him in England. How was it possible, under such circumstances, to expect friendly sentiments from a person so beset, and with interested dependents, so perverted in his station? - He was sure, that if the right hon gentleman had a just view of this question, nothing would have induced him to let it sleep for the space of four years. After the practical decision of parliament was twice had on this subject, he greatly lamented it was again brought forward. It had the effect of lowering the character of the country and of the parliament in the eyes of foreign countries, 'because foreigners were repeatedly told the British government were giving sanction to those principles that characterised the conduct of the ruler of France. It would be a fatal moral to hold out to the world, and was, besides, a gross injustice, to attempt to run down the character of such men as Lord Wellesley, after they had performed a most difficult public duty in high situations, without giving

them an opportunity of vindicating themselves, and thus to represent the British governors as having committed, and the government as giving sanction to, enormities similar to those practised by our enemies. For a considerable time, the attention of parliament had been occupied in hearing charges of this kind, accompanied with strong allegations, which it was difficult to refute. Fortunately, however, Lord Wellesley had now completely vindicated his character; and he was now so completely in possession of the public opinion, that every possible degree of confidence might be reposed in him, and his character stood higher than ever it had done before.

Mr. SHERIDAN felt, that after the personal allusions so frequently made to him, he should not act respectfully towards the noble lord if he continued silent on the present occasion. The noble lord concluded a speech, filled with the strangest and most monstrous doctrines he had ever heard, with a solemn appeal to the justice of the House, calling upon it not to establish so bad a moral as that of exposing the delinquency of public servants, for fear their conduct should be compared with the enormities of our enemies! It was with reluctance he entered on any of the enormities committed in India. In making such a declaration, the noble lord was not aware of the libel which he pronounced on an honourable friend of his, who was lately chief justice in India! Here Mr Sheridan quoted a speech delivered at the time of Mr. Hastings's impeachment, by Mr. (now Sir John) Anstruther, in which that gentleman dwelt on the enormities practised in India, and insisted on
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the necessity of investigation and punishment. But now the House was to understand, from the speech of the noble lord, that no governor in India, let his crimes be ever so great, was to have his conduct at all inquired into. He maintained, that the best way to hold out to the world that we sanctioned no enormities, was to punish those who committed any.

The noble marquis, whose conduct was now the object of discussion, had lately made an observation, that the attack made upon Copenhagen, and the seizure of the Danish fleet, was an event at which Englishmen ought to rejoice, because it would grieve Buonaparté. It was unwise in the noble marquis to make such a declaration, because he believed it to be entirely the reverse of what was the fact. He sincerely believed, that Buonaparté never felt more joy at any event than what this act of ours gave him. In that act he saw our character blended with his own. He found in it an indemnity for the past, and security for the future. The noble lord's code of political morality was the worst he had ever heard broached in that house. His desultory term, 'Will o' the Wisp speech,' had not put down a single argument advanced by his learned friend, to whom he felt grateful for the sentiments he had delivered. He did not feel a wish to say any thing uncivil towards the noble lord, particularly so, after the very handsome manner, in which the noble lord spoke of him the evening before last. But he should have supposed, had he not known his assiduity, the noble lord had never read the papers relative to this subject. He had said that Ali Hussein had

forfeited his right to the throne, inasmuch as he inherited the treason of his father. He could never have been a party to a treason which had not been communicated to him, and with which the father had not been charged in his lifetime. He never knew a more monstrous attempt than this to impose on the credulity of the public. There was no analogy in this case to that of the house of the Stuarts, in which a country chose its own magistrates, which every people had a right to do; but here was an independent prince, who was an ally, and what right had any man to say, that we should dismiss from the throne of his ancestors the lawful heir to that throne, against whom no charge whatever could be made? But what became of all this argument, when the fact was, that Azeem ul Dowlah was put on the musnud over the son of a person who was actually proved to be an enemy to the British interests? The noble lord shewed the grossest ignorance of the papers; for the very correspondence he referred to was carried on with the consent of the government of Madras. As to the cypher, he appealed to the honourable baronet who had been chief justice in India, and would ask, if he would suffer a man to be convicted on such evidences [Sir John Anstruther signified that he would not], he was happy to hear his honourable friend say he would not. Yet it was on such evidence that an innocent young prince was deprived of his throne, and placed in a situation in which he lost his life. Mr. Sheidan then read some correspondence, in order, to shew that the British government in India considered it as likely to be favourable

favourable to their interests, to have an intimate correspondence and connection carried on between the house of Arcot and Mysore. It was attempted to justify this transaction, on the ground of state necessity. But this act of injustice and robbery could not be an act resulting from state necessity, because there existed no necessity for it, or at least none had been shewn, to influence their decision. The right honourable gentleman next read some papers, to shew the steady attachment of the nabob to the English, and he defied any governor to say, that there existed the slightest proof of the hostility of the father or the son, except what was extracted from the trash found at Seringapatam. The arguments that had been used to prove that the nabob was considered as a vassal to the India Company, were as unjust as they were unfounded. The important documents on the table put that question out of all doubt, for it would appear, by an address actually signed by his majesty, counter-signed by lord Cornwallis, and addressed to the nabob, dated the 13th of May, 1790, that he was considered not only as an independent sovereign, but actually called the "faithful ally and friend" of the British government in India. Here the right honourable gentleman read a long extract from the address alluded to, from which it likewise appeared that the very first acre of ground the English became possessed of round Madras was acquired through the friendship of the nabob of Arcot; yet, he argued, after such an unqualified declaration under his majesty's own hand, of the independency of this prince, such degrading language was to be

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held out† Was it to be endured for one single moment, that the rights and laws of nations were to be thus trampled upon with impunity, merely upon the alleged policy of the measure? From a very patient perusal of the very important documents on the table, they established this proposition in his mind, that there was no ground whatever for any suspicion of the faithfulness of the nabob of Arcot and his son towards the British government. There was one part of this question which he could not but consider as a great dereliction of principle in the noble marquis. It was said that he took every possible care for the protection of Ali Hussein, the deposed nabob. Could it be thought for a moment, that the deposed nabob would be safe in the hands of a man who threatened him with instant death if he ever attempted to regain the throne of his father? From these circumstances he concluded, that the young nabob was not safe in those hands.

He did not feel disposed even to enter into all the motives that might have actuated the noble marquis in his conduct, and he was less disposed to argue the accusation urged against him of his being actuated by pecuniary interests in his administration; but looking at his general conduct as a governor of India, he must say there was no parallel in the history of that country which presented so unbridled an instance of insatiable ambition. The sum total of what the country knew of his conduct as governor was, that he succeeded to the government after Lord Cornwallis. He found India in a great and increasing state of prosperity. He found a system of equity and economy in the public expenditure,

admirably

admirably calculated for the solidity of our establishment in that country. But when he left it, he left behind him an example of the most pernicious prodigality and profuseness. When he landed, he found a disposition in the company's servants to revere the laws, and to abide by the decrees of his Majesty; but when he left it, the utmost contempt prevailed of the laws and regulations of the company. When he went there, the native powers of India placed the utmost confidence in the faith of the British government, but he left them entertaining, in their minds, the most irreconcilable sentiments of disgust and enmity, on account of its treachery and oppression. In short, the result of the noble lord's administration was this, that when he went to India, he found Great Britain without a foe, and when he departed, he left Great Britain without a friend. Upon these grounds he felt himself called upon to say thus much, not from any personal enmity to the noble marquis, but from a principle of preserving his own consistency. He took this opportunity of defending himself from the insinuation thrown out by the noble lord in the commencement of his speech, that he had departed from principle in seeming to neglect the cause he had so strenuously undertaken to advocate on former occasions, by stating that his sentiments upon this subject had never been in the least altered from the first intimation he received of the oppression and tyrannous dethronement of the young nabob and the subsequent information that arrived in this country of his murder. On that occasion his mind was so horrified by the atrocity of the act, that he resolved immediately to institute an inquiry into the causes

of so gross a violation of the laws of civilization and humanity. Circumstances, however, had prevented him from carrying the desired object completely into effect personally. He saw no prospect then of pursuing the investigation in that administration, and from these considerations he did not persist. He had however moved, from time to time, for a great number of documents, which must remove at once every suspicion of his having cooled in the cause. He concluded by declaring his fixed determination at all times never to shrink from the task he had imposed upon himself, of representing the noble marquis's conduct in the plain and unvarnished manner in which he fully persuaded himself the various documents on the table exhibited the circumstances of his administration to the country.

Mr. FULLER contended, that this was a most extraordinary discussion, and made on the opposite side a question of party rather than of principle.

Dr. LAURENCE supported the Resolution. The proposition of the noble lord, that this was held to be a grave question by the house, might well be doubted, if they were to judge from the manner in which they had decided upon the evidence adduced in support of the charges against the noble marquis. Upon what principle it was that the house intended to act in its decision upon this subject, he was at some loss to conjecture. Although it might be argued in favour of the noble marquis, that he was not actuated by motives of pecuniary aggrandisement, yet there were a thousand other bad passions which might actuate a minister, equally as mischievous and destructive to the interests of a nation, as those connected with the most sordid motives.

motives. Inordinate ambition must on all hands be admitted, in a moral point of view, to be the most pernicious of all the passions that actuated the human mind. That such was the motive of the noble marquis in his administration, must depend upon what degree of credit the house would attach to the evidence of the papers on the table. In his opinion, formed upon the consideration he had given to those documents, the accusations were unanswerable. Here the learned gentleman combated the arguments used to justify the policy adopted by this country towards the native powers of India. Nothing was more unjust and unprincipled, nothing was more opposite, not only to the laws of nations, but those of nature, than the system of oppression practised upon the unfortunate nabob of Arcot, whose rights and privileges were violated upon the most unwarranted and unjust pretence of having broken a treaty, when, in fact the most barefaced act of tyrannical policy obtruded itself throughout the whole transaction. He related the history of the first transactions of the British government with the nabob of Arcot, until the period of his contracting his debt with them, and detailed the various pretences urged by them for increasing that debt, which he considered as the over-reaching principle which universally characterised the conduct of the India Company's servants, and brought the narrative down to the period of their interposition in the affairs of the Carnatic, under the pretence of the discovery of the secret correspondence with the neighbouring potentates, for the purpose of forming a confederacy against the British interest. In considering the evidence in support of the alle-

gation, that a violation of treaty was the ground of their interference, he contended that there was a previous determination of the government of India to adopt that measure long before any knowledge of such pretended correspondence was received. He knew of no law of nations that could warrant so unjust an interference, on our part, upon presumed evidence of danger. He did not deny the principle of self-preservation, as the first law of nature, but the fact of real danger must be clearly justified and substantiated, before we could presume to violate every law both human and divine. With respect to the stress laid so strongly upon the mysterious information contained in the cypher, he argued, that there was nothing in it, if the context was considered, that could justify such a construction as that put upon it by the advocates of the noble lord. This cypher was to be used as a breach of treaty, and consequently was not a sufficient justification for the acts of tyranny practised upon the nabob. The treaty stipulated that the nabob was not to go to war without the consent of the British government. Now, supposing even that this correspondence did contain sentiments of a political nature, was it just or reasonable to infer that any breach of treaty with the British government was meant? He was persuaded, that out of twenty letters which had passed from the nabob to the other powers, his allies, not a single phrase had been used which could attach to the nabob any violation of treaty. Taking the whole of the evidence, and the arguments upon this question urged by the gentlemen on the same side of the house, he was decidedly of opinion that this act was not founded in justice or sound

policy, which were inseparable from humanity and benevolence

Mr. WINDHAM said, he was not disposed to enter into a discussion upon the merits of this question. He was restrained in doing so, not merely from the lateness of the hour, but really from a sort of despondence he entertained that any arguments which could be offered could have any weight with a majority of the house, who seemed, in opposition to reason and evidence, disposed to pass a vote rather of approbation than censure. He could not suffer the subject to pass by without making a few observations upon some of the arguments urged by the noble lord. The principle contended for by the noble lord in support of the policy of the East India Company in India, reminded him of the last line of a song, written by Dr Swift for a highwayman, "Every man round may rob if he pleases" In the annals of injustice, and in the annals of romance, what could be more preposterous than this principle? In alluding to the manner, in which the evidence upon this subject was forced from Ali Rbeza, it was impossible to come at the truth by such a mode of examination as that adopted on that occasion. The effect of torture was not to produce truth, but to produce only that which the person inflicting torture wished to be told. The construction put upon this evidence reminded him of a passage in the works of Lord Shaftesbury, in reference to torture, that he would produce out of the words, 'My son Tommy has got the piles,' a very good plot against the house of Hanover! He regretted extremely that the House had not the aid of his

learned friend (the solicitor-general) on this side of the motion, who made so great a figure on the trial of Mr. Hastings, but, it would seem, the principle by which we were to be guided, was, that the natives of India had no rights, that we had no duties, and that all was to depend upon the decision of our majorities. He firmly believed, that for the enormities committed by the British power in India, in all the enormities under all the successive variations of the French revolution, and by no means recently under Buonaparte, no parallel was to be found. If, then, they could not find a parallel in Europe for the enormities committed in India, how could it be supposed that the votes of the House of Commons were to effect any reformation? He would wish he could separate the man from the conduct, but, unfortunately, both must be taken together. As to the motives of the noble marquis, what was the use of any inquiry about them? A man might have a motive to get money for his family, a laudable one to be sure: but then, if the motive were carried into effect by a violation of all justice were we to excuse him for his motives? The right honourable gentleman concluded 'by lamenting most sincerely what had happened, lamenting that men in the situation he saw could be found to defend it; and lamenting, more than all, that a British Parliament should sanction it. They were not to look at this affair with the eyes of others; the papers were before them, and, from the decision they gave thereon, the world would pronounce sentence upon them.

Sir THOMAS TURTON, in reply, said

said—Sir, at this late hour of the morning, (two) weaned as the House must be with a subject on which I am fearful few have bestowed any pains, and many have not even attended to, I shall detain the house as shortly as possible in reply to the observations and statements (for arguments I have heard none), on the charge I have brought against the government in India. I must previously, however, notice the complaint of an honourable gentleman (Mr. Wellesley Pole), whose fraternal feelings I can readily allow for, and to which I attribute that excess of warmth which has characterised his speech. The honourable gentleman has been pleased to observe on the manner in which I have opened the charge, as combining, with the total absence of proof, the most unwarrantable epithets of abuse—that I have stated his noble relative, and all persons in his situation going to India, as devoid of common honour and honesty; and that, in fine, I have uttered such language, under the protection of the house, that I would not have dared to use out of it. Sir, whilst I defy the honourable gentleman to produce a single instance on the records of Parliament of a charge so serious, attended with circumstances so outrageous and wanton, having been brought forward with so much moderation in language or conduct either towards the act charged on the persons accused, I can assure him, that he has wholly mistaken my character. If he supposes that I am capable of screening myself, on this or any other occasion, under the protection of this house; or that, what I have said in my place here, I have not often said; and when oc-

casions may call for it, shall repeat any, and every where. But, at any rate, I cannot suffer myself to be misrepresented. I never said that the noble lord had neither honour nor honesty. I never attributed the absence of these qualities to any man in India. What I said was, that there appeared to be a kind of geographical morality, and that I found a difficulty in accounting for the conduct of persons in India, who appeared not to be destitute of the common feelings of justice and humanity when in this country, and I then quoted an observation of Mr. Burke, attributing this change to their being dipped in crossing the Line. So much for this charge of the honourable gentleman, whose speech I shall no further notice than to observe, that if he, with the natural partiality attached to his view of the case, considers the defence made by the two honourable members to whom he has alluded, as unanswerable and satisfactory, it is useless to address myself to him. But to the House I shall venture to express my opinion, that never was so serious and direct a charge met by reasoning so inconclusive, statements so unfounded, and pretexts so unworthy as the present. In my opening, I anticipated most of them, but, must own, not all. The defence which has been made, adds another to the many instances we meet with, that the most atrocious and disgraceful acts may, for a moment, be stripped of the horror they excite, by the aid of sophistry and ingenuity. Indeed, the honourable gentlemen have had an hard and serious task, and their powers have been proportionably exerted; but, with the exception of the honourable gentleman and

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the other friends and relatives of both the noble lords, is there one man in the house who will say, that this act really merits any other epithets than those I have applied to it? Happy am I to find, that no one of his majesty's ministers, except the noble lord (Castlereagh), has chosen to stand forth in defence of it. And that noble lord will forgive me in observing, that whatever might have been his knowledge of the facts at the time, he has wholly forgotten them, since. We need only refer to the documents of early date on your table, to be satisfied that his statement of the ancient hostility in the old nabob to the British government, evinced (as the noble lord says) by his letters to Hyder Ali, is an entire misrepresentation; he will there find, that at our request only, and against the advice and remonstrance of the nabob himself, he was compelled to commence a correspondence of civility with Hyder Ali. Indeed, the noble lord appears not to have had leisure to read through half the papers on your table, for, if he had, his statements would be inexcusable.

The right hon gentleman opposite (Mr Wallace), who has gone into the defence of this act at great length, has commenced his speech by observing, that I have erred in my statement of historical facts, and asserts, "that our first connection in the Carnatic was, with Wallah Jah, whom we raised from the dust." Is the right hon gentleman really serious? Is a member of the board of control ignorant of our earliest relations with the powers of Hindustan? What was the commercial charter granted to us by Ferocksere? Did that form no connection between us? Had we no connection, no

correspondence, with Anwar u Dien himself? Did we not owe to him and his assistance the safety of St. David's, after Madras was taken in 1745? What, then, does the right hon. gentleman mean by raising Wallah Jah from the dust? Does he mean to impress the house with the idea, that this family was created by the bounty of the Company? Does he recollect, that in 1745, Anwar u Dien was powerful enough to command the British fleet, under commodore Barnet, consisting of two sixty gun ships, a fifty and a frigate, not to commit hostilities against the French at Pondicherry, he (Anwar u Dien) having engaged to observe a perfect neutrality in Arcot, and that, notwithstanding the remonstrances of the Madras government, he persisted in his resolution, and threatened, in case of disobedience, to attack Madras? In consequence of this, we desisted from our attempt. But does the right hon gentleman merely mean, that Wallah Jah himself, experiencing adverse fortune, was assisted by us? I have before stated, that he was under no obligation to us; we espoused his cause, because the French adopted that of Chunda Saheb; and if we look into the particulars of our assistance, it will appear, that his obligations are not increased by the manner or extent of it. When, after the battle of Ambore, in which Anwar u Dien fell, and his eldest son was taken prisoner, Mahomed Ali fled to Trichinopoly, and applied to us for assistance. What was the force we sent to him? six hundred and twenty European soldiers; whilst we suffered Boscawen, with his fleet full of troops, to sail to Europe, leaving the French interest in possession of the Carnatic. So, when his tributary, the king

king of Tanjore, applied to us for aid, we sent him, (I think it was) *twenty* men; however, a mere nominal assistance. and when we talk of raising Mahommed Ali from the dust, we had surely forgotten our noble exploits at the battle of Trivadi, where, by our desertion of him, he lost the battle. It was not to us, but to Nazir Jung, son of Nizam ul Mulck, that the family of Anwar u Dien owed its restoration to the musnud of Arcot. We shall be able to judge from this, of the correctness of the historical knowledge of the right hon. gentleman. But now for his reasoning, if we can dignify it by that name. He is willing to admit that the evidence on your table is not legal evidence; but he contends, nevertheless, that we ought to admit it, not for the purpose of grounding a remonstrance to the nabobs, if alive, or of requiring an explanation of any conduct which might have appeared doubtful in them, but for that of dethroning and imprisoning their innocent and lawful successor—I should have been glad to hear the right hon. gentleman's definition of this crime of the nabobs; I think he calls it, somewhere, an *hostile conspiracy against the interests of the British government*—by whom? by sovereigns he acknowledges independent.—I would ask him, in what page of the code of the public law of nations he finds this crime in a sovereign, and a crime, too, which he acknowledges was only in embryo, and though conceived for several years, he does not pretend was ever acted upon.—I think the utmost which that right hon. gentleman attributes to these poor sovereigns, who had sinned beyond forgiveness, is, “*a correspondence exciting suspicion of sinister de-*

signs.”—Ah! Sir, how must the right hon. gentleman have stretched his ingenuity, to have framed this bill of indictment; and what a jury must he have to find a verdict of guilty! But, let it be remembered, that the right hon. gentleman argues the whole of this case, as if the messages and letters said to be sent and written, were sent and written by the nabobs. Here is the fallacy of his argument. So far from this being proved, they dared not attempt to prove it. They had the means in their hands, either of proving or disproving them. Khader Nawaz Khan could have explained the whole business of the cypher, and of the messages *said* to be sent at different times by him to Tippoo's ambassadors, and there was no reason to fear his partiality towards the nabobs, for this was the only khan who bowed the knee to the usurper, and, of course, he was a fit object for our designs; but him they dared not examine. Is not this of itself a sufficient proof that the government did not believe one word of the alleged conspiracy? After this, who will credit any part of the story? But we will leave these disgusting pretexts to themselves and their authors; and I shall only observe, that if the sacred names of justice and humanity were ever prostituted to disgraceful and wicked purposes, it is where the right hon. gentleman uses them as applied to our conduct towards the dying nabob. “*Insensible* (he says) must be the heart which could not feel for the nabob, extended on the bed of sickness.”—And does this expression of sympathy come from the advocate of this nefarious act? Can the right hon. gentleman forget the orders of the British government to Colonel M'Neil, at the time when
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they knew the nabob's situation, and which *his humanity* alone, on the representation of Major Giant, induced him to disobey?

But the right hon gentleman surely 'is not serious, any more than when he gravely informs us, "that the *principles of humanity* and regard for the *peace & family* regulated the *proceedings* made to him." Can we hear this statement without a conviction that the right hon gentleman is laughing at us? or can we hear the reference to Domat's Compendium of Civil and Public Law, to justify the deposition of the pince on the ground of repatriation (and which I had anticipated), without feeling a regret that doctrines so monstrous, and as applied to the present case, so extravagant, should meet countenance from a quarter so respectable. If is impossible that the right hon gentleman can seriously think them applicable. There is only one observation more that I shall make on the speech of the right hon gentleman—In his justification of this act, he has alleged the sanction of that respectable nobleman, Lord Cornwallis. Does the right hon gentleman mean to insinuate, that this outrageous act received the countenance of that revered person? Does he mean to state, that the general administration of Lord Wellesley met his approbation? What a censure must be then pass on the noble lord near him, and on that administration who sent Lord Cornwallis to heal the wounds which Lord Wellesley had inflicted on suffering India. Need we the testimony of the papers on your table to know, that, from the moment of Lord Cornwallis's landing in India, his efforts were solely and exclusively directed to the subversion of that

system, which aimed to establish the greatness and power of this country on the basis of public faith, and the sacredness of treaties? that amongst the last instructions given by him, were those to the residents at Poonah and Hyderabad, directing them to abstain from any further interference with the respective governments? That respected nobleman, expressing his apprehensions lest the natives should be led to believe, from the system which had lately been pursued, "that the English aimed at universal dominion in India." His exertions to undeceive them were the unceasing objects of the short remainder of his life. I trust his example will not be lost on those who succeed him.

An hon gentleman, who spoke from the floor (Mr Whitshed Keene,) talks of the happiness of millions being insured by this act. Whilst I do not admit our right to overturn a government, even to improve the situation of its subjects, I must ask the hon gentleman if he is quite sure that this is the case? If I am not mistaken, as far as pecuniary impositions affect happiness, the state of the country, instead of being improved, is deteriorated. I moved for an account of the revenue collected since we had taken the civil administration into our hands. If I had obtained it, the house would have seen that this country, which has been snatched from the baneful influence of the nabob's government, and participates in all the luxurious enjoyments of British protection, is at this moment paying for the blessed exchange *three* times the sum in taxes which it paid whilst under the government of its ancient masters. I know that I have under-rated the amount
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of increased pecuniary oppression, nor will it less surprise the House to be informed, that, notwithstanding these additional burthens on the natives, the money actually coming into the treasury of the Company is less than under the treaty. What, then, becomes of the charges of misery and corruption of the nabob's government? or how will the hon. gentleman prove that the exchange has rescued millions from oppression? I much fear, the reign of the English nabobs (as they have been termed) is not wholly over, but that oppression has not changed its nature, though dressed in the garb of European civilization. An hon. officer (Colonel Allan) has informed us, that the cypher was intended for political purposes, but he has contented himself with this statement, without advancing any proof, or even an argument to sustain it, but suppose it was so intended, you have proof it was never so acted on; how, then, is it a violation of the treaty? The treaty says, "The nabob shall carry on no political correspondence with any foreign power, without the knowledge of the British government." Has he? where do you find it? in what page of these paltry documents do you find a *political correspondence*? The same hon. gentleman also tells us, that he marched with the army through the Carnatic, and that the natives all exclaimed against the nabob's government, and expressed a strong desire to be placed under British protection. The appearance of a great and conquering army often effects a wonderful change in the language and conduct of the countries through which they march. The tyrant of Europe has often discovered this, and if we are to believe his Moniteurs, an

universal desire to be incorporated with the French nation prevails in every country which his desolating arms have laid waste, the desire has, I dare say, been in this case equally sincere. How, otherwise, can we account for the letter of remonstrance written by Lord Hobart to the nabob, on his permitting the subjects of the British government, residing in the Jaghire round Madras, to settle in his (the nabob's) territories? The thing is wholly unnatural and improbable; but, if true, does not justify the atrocity of the act, or add one argument in its favour.

Sir, I think that I have shortly noticed all the main points of defence which the defenders of this act have brought forward. I shall only observe, that, however respectable these hon. gentlemen may be, they are, nevertheless, connected either with the act or the actors; and I am not, therefore, surprised at the line of argument they have taken, but I am not sure that the defence of the hon. gentleman (Mr. Keene) is not the more manly and honest of them all. He says, "India is not to be governed but by the sword, you can have no dependence on the faith of these sovereigns of Hindustan, violence alone will do with them." One can understand this, and if we cannot subscribe to the reason or policy of it, we do to the frankness of the avowal. Indeed, this has been the sad and abominable system you have pursued. Whilst it has made us bankrupt in character, has it even enriched our pockets? Ask the East India Company, they will tell you, that the noble marquis has increased the revenues of the Company seven millions, and the debt sixteen more; that your wars and conquests have occasioned this; but even this I deem

deem a very subordinate consideration.

The great question is, how has your policy affected the character and interests of Great Britain? True, you have greatly extended your territories, you have added twenty millions of subjects, but you have done it at the expense of every sacred principle of moral obligation or national faith. Have you not reduced your allies to be slaves, your tributaries to be mere cyphers of state, and when you had no more sovereigns within your grasp to dethrone, no more provinces to devastate, no more forts to raise, no more chiefs to hang up, or nobles to expatriate, unsatiated with the wretched havoc of desolation and blood you had occasioned, in the wantonness of malice, in the plenitude of folly, you determined to attack their *religious prejudices*, their ancient and venerable customs; those prejudices, which had resisted, with effect, the enthusiasm and cruelty of the Mahomedan conquerors, who soon learnt the wisdom of institutions, which, admitting no proselytism, presented no danger; it was reserved for the mildness and liberality of Christians to attack. Those ear-rings and marks of cast, which, if we are to believe Pliny, Arrian, and Herodotus, have existed more than two thousand years, it was reserved for Britons, in the nineteenth century, to tear from the forehead and ears of the patient and meek Hindoo. What! were the conquerors of Plassey, of Chunar, the heroes of Seringapatam, and Laswarree, enervated by these baubles, or unfit for military service if their whisks were not cut to a pattern? *Quæ te dementia cepit?* But I will dwell no longer on this hated sub-

ject, on our conduct there cannot be two opinions—you must alter your system, or India is gone.

Sir, I have done; whatever is the fate of these Resolutions, and particularly of the last, I feel I have discharged my duty, and I know, if only those give their votes who have made themselves masters of the subject, and bring an impartial judgment to its decision, I shall attain my object. I am, however, far from sanguine, when I look round the house; yet let me intreat gentlemen to reflect, that, by crushing this inquiry by the previous question, you do not wipe away the guilt from the accused, you only declare, that the parliament of Great Britain, where alone the wrongs of India can be inquired into, shuts its ears to their cries. What will be the effect of this proceeding in India, I shudder to think! Certain it is, that if the means should be afforded to the natives to resist your power, you have not one native prince who would not rise against you, and extirpate you from that land, where your progress has been only marked by tyranny and injustice. Once more do I conjure the House, again do I intreat his Majesty's ministers to pause, before they vote for the previous question if their feelings are deadened to the calls of humanity and justice, they must be alive to those of interest, that will prompt them to do justice to India, and to join me in declaring to the world, that the British parliament will never sanction one act of injustice, committed in its name, towards any description of persons, however distant in their situation, who are entitled to its protection. This sentiment will do ministers more credit, and eventually more service, than any support

support they may derive from espousing a cause which dares not meet investigation, but shelters itself under the protection of a *previous question*

Sir, I thank the House for its indulgence, and I shall no longer keep it from its decision

The gallery was now cleared and the House divided :

For the Resolution - - 19

Against it - - - - 97

Majority - - - - —78

Mr WALLACE then rose and said, that after what had passed on this and former discussions, it was unnecessary for him to introduce the Resolution which he was now going to move, with any preface, he should content himself simply with moving the following Resolution : Resolved, " That it is the opinion of this House, that the marquis Wellesley and the earl Powis, in their conduct relative to the Carnatic, appear to have been influenced solely by motives of anxious zeal and solicitude for the permanent security, welfare, and prosperity of the British possessions in India."

Sir JAMES HALL said, that he only differed from the right honourable gentleman who had made this motion, in thinking it did not go far enough. It was high time that parliament should do that justice to this illustrious character, which the meanest, the most degraded subject of our law, had a right to demand. After submitting the conduct of the noble marquis to the severest scrutiny, during a long course of years, and after deciding, by very great majorities, that he had done nothing wrong, the House was bound to grant him a deliverance, not only to free him from the present charge, but to protect him from all future attempts

on similar grounds. It would become the justice, the honour, the gentleman-like feeling of the House, to do a great deal more ; not only to clear the character of the noble marquis from blame, but also to declare their high opinion of the services he had rendered his country, in such a manner as to revive the recollection of those services, which seemed to be in a measure forgotten. If the consequence of such a declaration were to be what a right honourable gentleman (Mr. Sheridan) had deprecated, were the noble marquis raised to a high station in the ministry, he should rejoice in the experiment, by which there was reason to expect that our councils at home might be animated by that astonishing efficiency which had shone conspicuously in his Indian administration

Sir THOMAS TURTON said he had a trifling amendment to propose, which was, to leave out the words after the word, " influenced," and to insert the following words " By a desire to extend the British territories in India, in contempt of all treaties, and in violation of the national character."

Mr. S. LUSHINGTON supported the motion

Mr M. FITZGERALD felt extreme uneasiness in giving a vote on so personal a subject ; but with all his esteem for the private character of marquis Wellesley, and looking only to his politics as a public officer in India, he must give his vote against the Resolution

The House then divided :

For the amendment - - - - 19

Against it - - - - - 98

Majority - - - - - —79

Mr. Wallace then moved the original

original question of the vote of approbation, upon which

Mr. Howorth addressed the Speaker thus: Sir; the House is called upon to determine on the noble lord's motives: there is no human tribunal competent so to decide on them. The merits of the noble lord must be tried by his actions, if you try him by the fundamental resolutions of this House, or by the laws of his country, shew me the resolution or the law which he has not violated. If you try him by the opinions of the directors, there is scarcely an act of his government which they have not condemned, and given such reasons for their opinions as were unanswerable, and therefore they were suppressed. If you try the noble lord by the effects of his government, let us look at the results, at home, irretrievable ruin; look to India, you find there a territorial revenue of fifteen millions, falling short of the expenses of its establishments upwards of two millions annually, loaded with a debt of thirty-two millions, increasing daily, the native powers of India disaffected; their minds alarmed with jealous apprehensions of our ambitious encroachments; disgusted with our humiliating control, disgusted with the disgraceful subordination in which they have been placed. and, in this last instance, of our perfidious policy to the miserable victim of our rapacity, the unfortunate Hussein Ali, disgusted with the baseness of our ingratitude. The mass of Mahomedans in the Carnatic are seeking only for a period to their sufferings, in the subversion of the British government; and even your Sepoy establishment, the last native resource you had to trust to, ready to take up arms

against you: every financial resource exhausted; not a rupee in your treasuries: this, Sir, is the state into which Lord Wellesley's mal-administration brought India; this is the state in which he left it; and this is the state in which Lord Cornwallis found it. The noble Lord (Castlereagh), has repeatedly introduced the name of Lord Cornwallis into the debate of this night. I would ask the noble lord, I would ask any member of the house, for what reason, for what purpose, was such a man as Lord Cornwallis, at his advanced period of life, not merely called upon, but solicited, intreated, as one of the greatest services he could render to his country, again to undertake the government of India? Was such a man wanted to pursue the system, and tread in the steps of Lord Wellesley? No, Sir, he was sent out for very different purposes. Does the House know how that lamented nobleman was employed from the first moment of his arrival at Calcutta, to the latest period of his existence? He was employed, Sir, in reversing every measure, in cutting down every political act of his predecessor, in endeavouring to repair, or, at least, to put a stop to, the universal mischiefs produced by the measures of Lord Wellesley. This house voted a monument to Lord Cornwallis. If you approve of the conduct of Lord Wellesley, be consistent, at least, and begin where, on this principle, you ought to begin, by ordering Lord Cornwallis's monument to be pulled down, and then on its ruins you may erect a statue to Lord Wellesley! But, at last, we are told, that the noble lord's motives were always good, that his zeal to serve the company

was

was always ardent. I have already said, there is no human tribunal can take cognizance of his conscience, or penetrate into his motives, abstractedly from his conduct. In my mind, Sir, the noble lord has done all with his eyes open, caring, as it seems, but little for the consequences; secure of protection here; and so he has found it; but before this House proceeds to pass a vote, which, as an honourable director (Mr. Grant) has told you, will be attended with incalculable mischief in India, I trust it will reflect,

and I call upon his majesty's ministers, before they lend their aid to a measure so pregnant with disgrace to the British name and character, to reflect on those duties which they owe to their sovereign, to their country, and, in truth, to their own characters. I thank the house for the indulgence it has shewn me, I shall trespass no longer, but shall give my decided negative to the present question. The house then divided,
For the Vote of Approbation - 98
Against it - - - - - 19

Majority - - - - - 79

STATE PAPERS.

*Petition of the East India Company, presented to the House of Commons,
Tuesday, April 26th, 1808.*

" That the petitioners, for many years last past, have been entitled to, and have carried on, and are now entitled to, and carry on, the sole and exclusive trade between the United Kingdom of Great Britain and Ireland and the East Indies and China ; and the petitioners are also in the possession of certain territories in the East Indies, yielding a large annual revenue, the immediate government of which territories is exercised under the orders of the court of directors of the petitioners , but the supreme superintendence, direction, and controul of all acts, operations, and concerns which in any way relate to the civil or military government and revenue of the said territories, has been for many years past, and is now vested in the Board of Commissioners appointed by his majesty for the Affairs of India, according to the act of parliament in that case made and provided —That the petitioners concerns are principally of two kinds, one of which regards the civil and military government of the said territory, its political relations, and the Indian debt incurred in respect thereof ; the other of which regards the commerce carried on by the petitioners, and the debts and credits of the petitioners relating thereto —That the petitioners, being established by law as the only channel of commercial intercourse between his majesty's dominions and the East Indies and China, the legislature has, from time to time, imposed restrictions upon the powers which the petitioners, as a corporation, might otherwise have exercised, and has provided regulations for the conduct of the concerns of the petitioners, and particularly with respect to the raising of money at home for these purposes; by reason whereof, and by reason that the petitioners concerns are intimately connected with those

of the public, and are of a nature and magnitude which cannot be managed by the means applicable to those of individuals, the petitioners have been obliged, on different emergencies, from time to time, to apply to the house for relief on various points —That in the course of the last and the present war, the petitioners have incurred various expenses for expeditions from the continent of India to the French, Dutch, and Spanish Islands in the Indian Seas, and to Egypt, under the instructions of his majesty's government, which expenses were advanced upon the reliance of the petitioners that they were to be fully reimbursed by the public, and different sums have at different times been issued to the petitioners in respect thereof ; nevertheless the petitioners claim that a large balance is still due to the petitioners on that account :—That the petitioners were, on the 1st of March last, indebted to his majesty for Customs and for Excise, to the amount of 1,410,238*l.* and are still at this time indebted to his majesty on the said account in the sum of 770,000*l.* ; and upon a prospective estimate of the pecuniary transactions of the petitioners in England from the 1st of March last to the 1st of March, 1809, it appears that the payments, including the said debts to his majesty, to be made by the petitioners within that period, will exceed the probable amount of their receipts within the same period by the sum of 2,433,185*l.* or thereabout, not including in the said receipts any part of the balance which may appear to be due by the public to the petitioners ; and it would be highly inconvenient and disadvantageous that the petitioners should raise the whole of that sum by the means now in their power That the petitioners are not conscious of having created or aggravated their financial

cial pressure which the petitioners now feel, but that the same has been produced by a combination of the following causes, that is to say 1. The vast amount of the debt accumulated in India in respect of the territorial possessions, and the high rate of interest which such Debt bears, the effects of which have been to intercept the surplus of the Indian Revenue intended by parliament to be derived from thence to the commerce of the petitioners and to occasion large drafts on the petitioners at home for the payment of interest on the said Debts, as well as payments for political charges, appertaining to the Indian territory out of the home funds of the petitioners? 2 The very large sums advanced by the petitioners for the expeditions from India before-mentioned, part of which was borrowed in India at a high rate of interest.—3 The deterioration occasioned in the affairs of the petitioners by a state of European war since 1793, under the following heads. 1st in freight and demurrage, which, in the course of 11 years, have created an increase of expense to the petitioners by the sum of 7,000,000 sterling, 2d, in the increased cost of the manufactures of this country exported by the petitioners, to the amount amount, on the average of 13 years, from 1793-5, of about 690,000 sterling, which increase has not been counterbalanced by an increase in the selling prices abroad of the same goods, nor by diminution in the cost of goods purchased abroad for importation into England, 3d, in diminution of profits on the Indian investments homeward.—4 The large supplies in goods and bullion sent out to India and China by the petitioners between the years 1802 and 1806, exceeding very considerably the returns which have been made them in the corresponding number of years; those supplies were originally furnished for the purpose of increasing the investments of the petitioners, in order that by increased commercial profits, joined to increased revenue savings, the Indian debt might be in part liquidated; but in the year 1805 and 1804, when those supplies arrived in India, great part thereof, particularly of the bullion, was absorbed by the expenses of the war then carried on against the Mahrattas; and in 1805, to aid the Indian finances of the petitioners in the said war, they still sent large sup-

plies of bullion, besides the usual exports of goods, which latter were also to assist the manufactures of this country, continued to be exported upon an extended scale to India and China in 1806, all which exports in the said several years a causing the more immediate causes of the pressure now felt upon the home finances of the petitioners, the returns hitherto received for the said exports falling, as already observed, far short of their amount.—5 The comparatively small investments which were sent home to the petitioners from India during the years 1803-4-5, whereas, if investments in proportion, even to the amount usual in preceding years, had been sent home, they could then have been sold, and would have produced a considerable influx of money into the petitioners treasury in England, which would have been ready to have counteracted the effect of the very small sales which, in the present state of Europe, can only be made, and which tends to the further embarrassment of the affairs of the petitioners.—6 That anterior to the period of 1802, mentioned under the 1th head, and during a period of ten years, from 1797 to 1807, the advances made out of the petitioners funds at home for supplies in goods and bullion sent to India and China, for payment of bills of exchange drawn upon the petitioners from thence, and for sums paid in England on account of political and military charges, appertaining to the Indian territory, have very largely exceeded all the returns received in the corresponding period from the said countries, which, by an account carefully made out, appear to be indebted to the home concern in the said period to an amount exceeding five million sterling.—That the petitioners do not presume to request the interposition of the house to aid them in their present emergency, without at the same time shewing their unquestionable ability to discharge all their present debts in England and to repay whatever the House may in its wisdom think fit to assist them with, for, independent of the Indian Debt which the petitioners submit is justly chargeable on the Indian territory, the petitioners beg leave to state that, on the 1st of March last, the sum total of Debts, carrying interest and not carrying interest, owing by the petitioners in England, then amounted to the sum of 9,122,624*l.* (not including the amount

amount of their capital stock, but including the debts herein before mentioned to be due to his Majesty for Customs and Excise); and the sum owing by the public to the petitioners, taking the same as it stands in the annual account at 2,480,000*l*. and other good debts due to them in England, together with the value of the petitioners' goods now unsold in their warehouses, and of the petitioners houses, warehouses, and other property in England, amount to the sum of 14,149,623*l*., and moreover, the petitioners certainly expect further goods from India and China in the course of the present year to the amount of 5,271,000*l*. which, added to the last-mentioned sum, will make their actual property in England amount to 19,420,623*l*. from which the debts aforesaid being deducted, there will remain a balance of 10,298,002*l*.; but taking only the amount of the goods now unsold in their warehouses, being 7,815,305*l*. and the amount of goods to be expected in the course of the year, being 5,271,000*l*. both will make an aggregate of property amounting to 13,086,305*l* and if from this be deducted the estimated amount of sales in the course of the year, there will still remain, at the end of the year, goods to the amount of 8,907,092*l* as a security for any loan that may be made:—That the various Accounts and Estimates necessary to support an application by the petitioners to the House for relief in the premises could not be made out in time for the petitioners to prepare and present a petition thereon before the time limited for receiving private petitions was elapsed; and therefore praying that, in consideration of the circumstances of their case, leave may be granted to them now to present to the House their petition, praying that the House will be pleased to take the matters aforesaid into their consideration, and to grant to the petitioners such relief in the premises as their case may require, and to the House shall seem meet.²¹

Appendix, No. 1.

CORRESPONDENCE relating to the discussions between Mr. WITTWER and Mr. WRIGHT, the accountants, employed in the examination of the Account depending between the PUBLIC and the EAST INDIA COMPANY; on the principle of adjustment of the Account.

VOL. 10.

† N N

Whitehall, 23d April, 1807.

SIR,

THE progress of the investigation of the account depending between the public and the East India company, being interrupted by a radical difference in opinion between Mr. Wright, the accountant nominated by the company and myself, on the interpretation of the principles laid down in the report of the committee, and Mr. Wright having observed, that, without the sanction of his superiors, he does not feel himself justified in acquiescing in any other mode of stating the account, than in conformity with the opinion he has formed, I am under the necessity of requesting that you will be pleased to submit the circumstances of the case to the consideration of the right honourable the lords commissioners of his Majesty's treasury, and receive their instructions for my guidance. The origin of the difference which has occurred, and the grounds on which we have respectively drawn our conclusions, being distinctly detailed in minutes recorded on the subject, I have annexed copies of those documents, presuming it would be the best mode of bringing the subject before their lordships: it therefore may be only necessary here to submit, that the questions for consideration are, whether it was intended in the principle laid down by the committee, of the House of Commons,

That the peace, or ordinary charges of the troops employed at Ceylon and the eastern islands, from the 1st May, 1796, to 31st December, 1801, are to be admitted in the accounts as a charge upon the public: if not,

That the supply by the company to the island of Ceylon, from 1st November, 1798, to 31st December, 1801, is to be admitted as the sum chargeable to the public, without reference to the application of it.

I have the honour to subscribe myself,

Sir,

Your most obedient servant,

T N. WITTWER.

MINUTES of the proceedings of Mr. WITTWER, accountant on the part of the public, and Mr. WRIGHT, Accountant on the part of the East India Company.

Mr. Wittwer observed, that on referring to the amount of the supplies to Ceylon,

Ceylon, between November, 1798, and December, 1801, he discovered that the whole supply from Madras and Bengal during the period, with a small disbursement by the military paymaster-general, was taken as the charge that by the Ceylon books the whole of the military expenses were defrayed from those supplies and from the revenues: that it is his idea, according to the principle laid down by the report of the committee, the charge of the island is to be equally divided between the company and the public, from May, 1796, to December, 1801, with the exception of the peace establishment of the troops, which is to be borne wholly by the company: that the account of the demand upon the public has been thus drawn up to November, 1795, excluding the peace establishment: it is therefore his opinion, that the ordinary or peace expense of the troops for the period in question, viz. from November, 1798, to December, 1801, should be deducted from the amount of the supplies, and that a further adjustment should be made of the revenues of the island for the same period.

Mr Wright.—In reply to Mr. Wittwer's observations on the charge for Ceylon, from November, 1798, to December, 1801, inclusive, Mr. Wright remarks as follows.

1st As to the principle conceived by Mr. Wittwer to be laid down in the report of the committee of the House of Commons, Mr. Wright entertains some doubts of its being intended to apply in the manner noticed; he understands it was meant that the company should be reimbursed half their expenses of Ceylon and the Dutch Islands.

2d The charge for Ceylon, from November, 1798, accordingly consists of the advances and supplies made, there being, at the time the account was first stated, no other information on the subject, and the documents to form the account being very defective, Mr. Wright apprehends considerable difficulty will occur in framing the statement in the mode alluded to by Mr. Wittwer, as the usual pay of the troops must be taken by estimate.

3d. But, in proceeding to form such an account, credit should be given for the ordinary pay, &c. for troops raised expressly for service at Ceylon; for instance, the Malay corps; the usual

pay for this should be brought to credit, not only from 1798, but from its first formation in 1796.

4th. The charge for Ceylon, in the present state of the account, consists, as above-noticed, in the advances for, or supplies to, the island. The company having no controul over the disbursements of Ceylon, since October, 1798, it was not thought necessary to make any enquiry regarding them, but Mr. Wright can have no objection to opening the account in the way Mr. Wittwer mentions, in doing which, due credit must of course be given to the company for a proportion of the revenue. In the mean time, the observation respecting additional corps may be left to the determination of superior authorities.

Mr. Wittwer deems it proper to offer some further observations, in consequence of Mr. Wright's reply, respecting the statement of the Ceylon account, from November, 1798, to December, 1801.

1st On the principle. Mr. Wittwer admits, that the principle laid down by the committee of the House of Commons, on which the company are to be reimbursed the half of their expenses for Ceylon and the Dutch Islands, it is merely stated, in a general way, without distinctly and literally prescribing the nature of the disbursement, whether for extra charge, or otherwise. But he must take leave to remark, that by inference it seems established, that the committee, in determining upon the general principle, could only have in view the mode of statement in the account referred to their consideration by the House, which account was drawn out by the officers of the company, under their own special direction, and had likewise undergone repeated investigation by commissioners on the behalf of the public, whose minutes on this very account, in concert with some of the gentlemen of the East India direction, being recorded, confirm, as he conceived, that it was understood that the peace establishments of the troops employed, not only on these services but on other services, for which a demand is made upon the public, is to be borne by the company, and that the war and extra expenses only are to become chargeable to the public. On this principle it appears to Mr. Wittwer, that

that the whole of the accounts have been drawn up, and therefore he cannot consider himself authorized, without superior authority, to deviate from it. As to the Malay corps, Mr Wittwer does not dispute that it may be considered, in some degree, as an extra charge for a force raised expressly for the service at Ceylon, but as it was not so taken in the original formation of the account, and does not appear to have come under observation in any of the discussions on the subject, Mr Wittwer cannot take upon himself to admit this expense as a claim upon the public; he therefore begs to express his satisfaction, that Mr Wright is disposed to leave the point to the ultimate determination of superior authorities.

With regard to the point which has given rise to the present discussion, viz. the expense of Ceylon between November, 1798, and December, 1801. Mr Wittwer, at the same time he is not unwilling to admit there is scope for argument, on the ground stated by Mr Wright, as to the company possessing no controul over the administration of the Island in that period, yet, under the circumstances in which he is placed, he presumes this cannot be taken into present consideration; and that the only course he can pursue is a literal and strict attention to the line marked out by the report of the committee, and this leaves no latitude but to state the account from May, 1796, to December, 1801, upon one uniform principle. The difficulties in the way of so doing, are certainly very great, from the complete alteration in the nature and formation of the books and documents consequent upon the change in the mode of administration of the Island in November, 1798. Mr Wittwer is aware, that from this circumstance, the extra charges can only be separated from the ordinary or peace charges by computation on the respective proportions of each, in former months, and proposes that the account be so made up.

By the mode above proposed, uniformity of statement will be preserved to the period when the entire administration of the island was assumed by his Majesty's government, in December, 1801.

Mr Wright—1st. Having, since the meeting of the 16th instant, given the most deliberate and authentic consideration to the observations of Mr. Wittwer

expressive of his ideas of the manner in which the account for Ceylon, from the 1st November, 1798, to the 31st December 1801, should be stated, and having carefully re-perused the report of the committee of the House of Commons; Mr. Wright finds himself under the necessity of objecting altogether to the principles of framing the Ceylon account, contended for by Mr Wittwer.

2d Mr. Wright conceives these principles have been adopted on a mistaken construction of the committee's report. No mention is made in that report of extra expenses as to Ceylon, and the other Dutch islands; the only article of the company's claims, in which the committee have used the terms extraordinary expenses, is the charge for the expedition to Egypt. And as to the inference from the mode of statement in the account before the committee, Mr Wright must be permitted to doubt its accuracy. That the account was drawn out by the company's officers is certain, but if it were formed upon the principles stated, it is to be recollected, that the company expected the full reimbursement of the amount; which being denied, the account necessarily, as Mr Wright conceives, is liable to correction and alteration, as well in principle as in figures, under the report of the committee.

3d. Mr. Wright admits, the proceeding hitherto observed, in examining the Dutch accounts, has been upon the principle now proposed on his part, as well as on that of Mr Wittwer, but a more attentive examination has convinced Mr. Wright of the error therein.

4th That the committee referred to the account before them is not disputed. The difference of opinion arises from the construction of their intentions, as to the alteration to be made in it on the principles they have recommended.

5th. If the revision, according to Mr. Wittwer's construction, is to be proceeded on solely in view to the account as stated, Mr Wittwer has only to examine the charges made by the company, to see if they are correct or otherwise; whereas he himself appears to depart from this view, by introducing the Ceylon books from 1st November, 1798, the charges in which are not in the account as stated. The books were never completely, until within these few days, in the company's possession, the receipts and charges in them were not subject to the company's authority.

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6th. Now, if the objection to admit the expense of the Malay corps, "because it was not taken in the original formation of the account," be valid, the same reason should, in justice, operate to the exclusion of the charges in the Ceylon books, from November, 1798, for the charges specified in those books "were not taken in the original formation of the account;" and as to the observation of the charge for the Malay corps, it is certain, that it never occurred to recollection at any of the discussions that took place

7th. But further, Mr Wright observes, that the committee, in the classification of the several heads of claim, have placed "the expense of the capture and maintenance of Malacca and the Moluccas, and for the maintenance of Ceylon," in the third class, to be equally divided between the public and the company. It seems necessary, therefore, in stating the whole expense, that the ordinary, as well as other charges, should be included. It does not appear, that, in any other manner, the expense can be said to be equally divided. There is no "exception of the peace establishment," mentioned by Mr. Wittwer, contained in the committee's report.

8th. The principle above-mentioned appears so equitable as scarcely, in Mr. Wright's opinion, to admit of doubt. How can it be said, that two parties bear an expense equally between them, if from the aggregate a proportion is first deducted, and charged exclusively to one of the parties?

9th. Mr. Wittwer has evidently formed his ideas of the mode he has suggested of stating the accounts, from observing, in the discussions that formerly took place on the company's claims, the terms "extra expense" made use of, as well as from seeing these terms in the accounts, but in regard to the latter, he must be sensible that they contain other items, besides the additional allowances to the troops, incidental to war, and, as to the former, Mr. Wright must repeat his doubt of the accuracy of the inference thence deduced, for the reason above stated. The terms "extra expense" are liable to different constructions. The question still recurs, what are extra expenses? They may signify expenses for which the revenues of the country cannot provide, in which sense Mr. Wright has reason to believe they were taken, du-

ring the former discussion relative to Ceylon. It is obvious, also, that the whole expense, whether ordinary or otherwise, of troops employed in defending foreign possessions, becomes an "extra expense," when new levies are made to supply the place of those troops, or where such levies are made for the express purpose of being so employed.

10th. The latter observation is particularly applicable to the Malay corps, mentioned above. But Mr. Wright purposely refrains from insisting on the more general argument in support of his opinion, upon the present occasion, founded on the increase made to the ordinary military establishment, for the purpose, among others, of maintaining the Dutch possessions, this being a subject involving considerations of a great extent, which can be determined only by superior authorities.

11th. Mr. Wright has before noticed the difficulties in the way of making out the account in the mode proposed; and Mr. Wittwer has fully admitted these difficulties in his recent observations, wherein he allows, that it must, in some degree, be stated by computation. From what is above remarked, Mr. Wright very much doubts the practicability of making up the accounts from May, 1796, to December, 1801, upon the uniform principle mentioned; or that uniformity of statement will be preserved to that period. It is evident, in any view, that neither clearness nor accuracy of calculation can be expected from the means proposed, and that, after all, the account will be, in part, an estimate, and that formed on very uncertain grounds.

12th. To conclude:—The manner in which the account should now be stated, Mr. Wright conceives is this:

13. The whole expense of whatever kind, defrayed by the company for Ceylon, from the 1st May, 1796, to the 31st October, 1798, to be charged.

14. From the 1st November, 1798, to the 31st December, 1801, the whole of the supplies to, or payments on account of Ceylon, by the company, to be charged.

15. Half of the above, according to the report of the committee, to be allowed to the company.

16. The reason for stating the latter period in the way proposed is, that from the 1st November, 1798, the company had no controul over the expenses of the Island;

Island; it would be obviously unjust, therefore, to make them accountable for any proportion of disbursements made under such circumstances, nor does Mr. Wright conceive this was intended.

17. As to Malacca and the Moluccas, the whole of the company's expense, whether ordinary or otherwise, to be stated during the entire period of the accounts, half of which to be carried to the credit of the company, conformable to the rule laid down in the committee's report.

18. Upon these principles alone, Mr. Wright conceives, the account should be stated, therefore, without the sanction of his superiors, he does not feel himself justified in acquiescing in any other mode.

21st April, 1807.

Mr. Wittwer having stated, in his minute of the 16th instant, the grounds on which he has been led to form his opinion on the principles laid down in the report of the committee of the House of Commons, for the settlement of the account between the public and the company, in so far as relates to Ceylon; and Mr. Wright having, in his reply of the 18th, stated his view of the intention of the committee, in the principle laid down by them in a way directly contrary, and having further extended his view of the operation of the principle beyond what was supposed to be in contemplation, the discussion on this point must necessarily be deferred, till Mr. Wittwer shall have submitted the whole of the proceedings to the consideration of the lords of the treasury, as he should not conceive himself authorized to agree to such a radical change in the mode of statement, if even the observations of Mr. Wright had operated to produce any alteration in the sentiments of Mr. Wittwer on the subject.

Under such circumstances, what has now been remarked might suffice. But there are some points in the observations last made by Mr. Wright, which Mr. Wittwer feels himself bound, in justice to himself, and in vindication of his proceedings, more distinctly to notice, lest it should be supposed that Mr. Wittwer, from a pertinacity in his own opinions, had been the means of protracting the completion of an investigation which, on every consideration, both regarding the public and the East

India Company, it is desirable should be brought to a close.

Mr. Wright, it is presumed, must admit, that, where principles are only laid down in the general manner in which they are laid down, in the report of the committee, the interpretation of their intention must be a matter of opinion only, and that therefore the difficulty of coming to a satisfactory conclusion is great.

Mr. Wittwer, however, conceives it proper to offer some further remarks, in support of the conclusions he has been induced to draw, and to detail the grounds of them. It is impossible for him to judge what were the intentions of the committee, or on what principles the classification of the claims was formed, further than as it may be gathered from the Report and Appendix. The third class, respecting which the difference of opinion has now arisen, is "An account of the expense incurred by the capture and maintenance of Malacca and Moluccas, and for the maintenance of Ceylon, deducting the profit on spices," which is prescribed to be equally divided between the company and the public; and the account No. 3. in the Appendix, is referred to in the margin.

Mr. Wittwer must be allowed to presume, that the component parts of the account, thus classed by the committee, must have been understood by them, and that the term extra expenses of the military, distinctly mentioned in most of the year's statements, was understood to be on the same principles as in the other accounts, viz the charges exclusive of what would have been disbursed by the company, if the troops had remained on the Peninsula, unemployed on foreign expeditions; and not merely the extra expense for which the revenues of the conquered countries could not provide, as adverted to by Mr. Wright. — Mr. Wittwer admits, that the committee, in their report, do not expressly and literally sanction any exception as to peace establishment; but he rests his opinion of the intentions of the committee solely upon the mass of collateral evidence to be collected from the Report and Appendix. Whether the principle Mr. Wittwer contends for, be founded in equity or not, is not the point in question. He refers to the record, from which may distinctly be gathered, the

company

company have extensive claims upon the public, these claims are arranged under distinct heads, in several accounts, which accounts are ultimately brought to the consideration of parliament, and in which accounts the company only demand reimbursement of extra charges, on the principle already stated by Mr. Wittwer. Can Mr. Wittwer, therefore, be authorized to suppose, that the committee of the House, to whom these accounts were referred, could intend to give the company what they did not originally demand, or that, in dividing the sum claimed between the public and the company, the division was to be made otherwise than on the accounts under their consideration? This account, with the others, was stated to require revision, but *that*, Mr. Wittwer conceives, was simply investigation or examination of the account itself. If additions were to be made to it, or alterations in principle introduced, it is to be presumed they would have been distinctly mentioned in the report.

Finally, Mr. Wittwer cannot admit of the distinction mentioned by Mr. Wright, as to the interpretation of the intention of the committee, with respect to the term extra expense being applicable only to claims, the whole of which are allowed.

Copy of a letter from GEORGE HARRISON, Esquire, to Mr. WITTWER, dated 18th June, 1807, with the Extract from the minutes of the Lords Commissioners of the Treasury, of the 12th June, enclosed therein.

SIR,

The lords commissioners of his majesty's treasury having had under their consideration your letter of the 23d April, 1807, praying further directions relative to the examination of your accounts with the East India Company, — I am commanded by their Lordships to transmit a copy of their minute thereon, for your information and guidance

I am, Sir

Your most obedient Servant,

(signed) G. HARRISON.

Treasury Chambers,

12th June, 1807.

F. N. Wittwer, Esq.

Extract of Treasury minute, dated 12th June, 1807.

Read letter from Mr. Wittwer, dated 23d April last, requesting further directions relative to the examination of

the accounts between the public and the East India Company.

Read also report of the Committee of the House of Commons on the account between the public and the East India Company, and the papers presented to the House of Commons, relating to the said account, ordered to be printed the 27th June last.

My Lords cannot entertain a doubt that the principles established by the committee of the House of Commons, for the adjustment of the claims of the East India Company against the public for the expenses incurred at Ceylon and the Eastern Islands were adopted with a reference to the accounts presented by the company, and then actually before the committee, as printed in the Appendix to their report, and consequently, as the extra expenses alone of the troops employed on those services are generally stated in these accounts, that it could not be in the contemplation of the committee, that any part of the ordinary expenses thereof, should be made a charge against the public. Upon this point my lords conceive it to be impossible that there should exist any difference of opinion between the respective accountants, as far as relates to the periods for which the accounts were actually before the committee, and upon which they had to decide, nor are my lords aware of any principle being laid down or any exception taken in the said report, from which it can be inferred, that it was in the contemplation of the committee that a different rule and scale of adjustment should be applied to the accounts of the charge incurred at the above settlements, subsequent to the periods for which the accounts were then before them. What possible ground can be assigned for any deviation from the principle adopted by the committee, as far as it applies to the charges incurred for the Eastern Islands, my lords are altogether at a loss to conjecture, as they are not apprized of any circumstance or occurrence which occasioned any change whatever in the situation of those islands, either with relation to the East India Company or to the public, at any period between 1798 and 1801, and they are, therefore, decidedly of opinion, that the ordinary charges cannot be admitted in this part of the account. But with respect to Ceylon, my lords are disposed to be of opinion that

Whitehall, 4th November, 1807.

that it may fairly admit of a doubt, whether the charge made in the government of that island, in November, 1798, and consequently, in its connection with, and dependance upon, the East India Company, would not warrant the application of the principle contended for by Mr Wright, from that period, particularly as it appears that the company then ceased to have any controul over the expenses of the island, and that any separation of the ordinary from the extraordinary expenditure could only be made by estimate and computation, and not from any existing statement of the charges actually incurred.

My lords therefore conceive it may be expedient, without pledging themselves to any final decision on the question, that the account for Ceylon, from the 1st of November, 1798, to the 31st December, 1801, should be prepared in two ways, viz

1st The whole of the supplies or payments on account of Ceylon by the company to be charged, and one half thereof to be allowed to the company.

2dly. That from the total of the above amount of supplies or payments by the company, there should be deducted, in the first instance, such a sum as, according to the best estimate or computation that can be made by the accountants, the ordinary charges may have amounted to, and that one half of the remainder should be allowed to the company.

When the account is thus prepared, my lords will have this part of the question again under their consideration, and in case the doubts they cannot but entertain should not then be removed, and the difference between them and the East India company cannot be otherwise satisfactorily adjusted, my lord will feel it their duty to submit to parliament the expediency of referring to another committee the reports made by former committees, and all other documents on this question, for their final examination, decision, and report.

Transmit copy of the foregoing Minute to Mr Wittwer, for his information and guidance

Copy of a letter from Mr Wittwer to the honourable Henry Wellesley, dated 4th November, 1807, with two inclosures.

Sir,

I am honoured with your letter of the 9th ult. signifying the desire of the right honourable the lords commissioners of his majesty's treasury, that I should suggest the latest period at which I think it would be practicable to wind up the accounts with the East India Company either by the end of this year or the beginning of the next.

Having, in my letter to Mr. Harrison, of the 10th Sept. adverted, in a general way, to the difficulty of defining the period when this business can be brought to a close, it now remains to explain, more particularly, the causes to which this difficulty is to be ascribed. In so doing, I must take leave to call to your recollection, that the account itself is prepared by Mr Wright, the officer appointed by the East India Company, that my province is to examine, with him, the principles on which the account is framed, with the calculations. The objections which I have felt myself obliged to make to several of the documents from India, and in other respects have considerably lengthened the discussion, and of course protracted the settlement of the business. As that gentleman must naturally be best informed, as to the means he may be furnished with to obviate my objections, as well as of the extent of the claims which may still be outstanding upon the public, the necessity of a reference to him, before I could comply with their lordships' directions will, I trust, appear obvious.

I have, therefore, addressed Mr. Wright upon this subject. Copies of my letters to him, and of his reply, are herewith annexed, as the best means of bringing to the view of my Lords the nature of the obstacles in the way of winding up the account.

And I take leave to add, that the part calling more particularly for the consideration of their lordships is the account of the demands by the office of his majesty's paymaster-general, which is essentially requisite before any balance can be even estimated, and it is at the same time to be observed, that this account will be minutely examined on the part of the company.

On the whole, therefore, I humbly hope it will appear to their lordships that the delay in the settlement of this long

long-pending account, is solely to be attributed to the various circumstances which have now been brought to their consideration, and that it is not in my power to yield a literal obedience to their commands, by defining the period when the business can be brought to a final close

I am, Sir,

With due respect,

Your most obedient servant,

T N WRIGHT

Honourable Henry Wellesley,

&c &c. &c.

Whitehall, 26 Oct 1807

SIR,

Having received the commands of the right honourable the lord, commissioners of his Majesty's treasury to suggest the latest period at which it would be practicable to wind up the accounts depending between the public and the East India Company, either by the end of this year or the beginning of next, I am unable to yield obedience to them, without a reference to you upon the subject

As it naturally falls to you to be best acquainted with the extent of the claims of the company upon the public, and with the documents which may have been received to establish those claims, I shall esteem myself obliged, if you will favour me with such observations as shall assist me in replying to their lordships' directions; also with your opinion as to the period at which it may probably be practicable to wind up the whole of the accounts as they now stand

I am Sir,

Your most obedient servant,

(Signed)

T N WRIGHT.

William Wright Esq

East India House, 2d Nov 1807.

SIR

I HAVE been honoured with your's of the 26th ult stating that you have "received the commands of the right honourable the lords commissioners of his Majesty's treasury, to suggest the latest period at which it would be practicable to wind up the accounts depending between the public and the East India Company, either by the end of this year, or the beginning of next, that you are unable to yield obedience to those commands without a reference to me on the subject;" Jeering, therefore "such observations from me as may assist you in replying to their lordships' directions," and "my opi-

nion, as to the period within which it may probably be practicable to wind up the whole of the accounts as they now stand"

In reply, I have to observe, that it is not possible, in my opinion, to wind up the accounts either by the end of this year or the beginning of next, and for the following reasons

1st From the want of the complete accounts from India of the charges of the Egyptian expedition, as I have understood from you, in the course of the examination we have been making, that you are not satisfied with the correctness of the documents from which those charges have been stated, and, I have no hesitation in acknowledging they are not sufficiently perfect to authorize your admission of them before, therefore, this article of the Company's claims can be clearly and explicitly stated, it will be necessary to wait the arrival of more particular information from India

2dly From the want of statements from his Majesty's pay office, relative to the demands on the company for expenses of the King's regiments serving in India, you are aware, that these demands, as hitherto received, include only to the end of the year, 1803, and the particular explanations of the accounts to that period, so long ago, and so repeatedly desired, have not yet been furnished

3dly From want of more precise explanations regarding some of the heads of charges against the public, contained in the last abstract account, with a copy of which you have been furnished; viz the expenses of the last expedition to the Cape, those relative to Trinidad and Buenos Ayres.

And, lastly, From the difference of opinion which prevails, as to the construction of the principles intended to be laid down by the Committee of the House of Commons, in their report of June, 1805, for stating the accounts of Ceylon and the Eastern Islands. From the communications I have been honoured with, I apprehend it is not likely that the company will be contented to abide by the decision of the right honourable the lords commissioners of his Majesty's treasury, contained in their lordship's minute of the 12th June last, on the reference you found yourself under the necessity of making to them upon this subject. Until, therefore, some accommodation of this disagreement

disagreement should take place, the final settlement of the accounts must be postponed.

These are the principal obstacles which present themselves to the completion of the accounts, at either of the periods you have mentioned, and from what is above stated, you will readily perceive that it is entirely out of my power to offer an opinion, as to the period within which it may be practicable to wind up the whole of the accounts as they now stand.

I have the honour to be,

Sir,

Your obedient, humble servant,

(Signed) Wm. Wright.

T. N. Wittwer, Esq.

COPY of a Letter from the honourable HENRY WELLESLEY to Mr WITTWER, dated 31st December, 1807; with the extract from the minutes of the Lords Commissioners of the Treasury enclosed therein.

SIR,

THE lords commissioners of his Majesty's treasury having had under their consideration your letter of the 4th November last, in answer to one from this board, relative to the probable period at which it will be practicable to wind up the accounts between the public and the East India Company, I am commanded by their lordships to transmit a copy of their minute thereon, for your information and guidance.

I am, Sir,

Your most obedient servant,

(Signed) H. WELLESLEY.

Treasury Chambers, 31st Dec 1807.

T. N. Wittwer, Esq.

EXTRACT of TREASURY MINUTE, dated 14th December, 1807.

READ letter from Mr Wittwer, dated 4th November last, in answer to one from this board, relative to the probable period at which it will be practicable to wind up the accounts between the public and the East India Company, and enclosing copy of the correspondence between him and Mr Wright, the officer appointed by the East India Company, to prepare the accounts.

My lords are of opinion, notwithstanding the several difficulties stated by Mr. Wittwer and Mr. Wright, owing to some of the accounts not being as yet received from India, and to that of the pay office not being completely made out, that it would be very desirable to balance the account between the public and the East India Company, as well

as it can be done, from the materials and vouchers which now exist, or which may very speedily be brought forward, and put into the hands of the respective accountants, up to the end of the year 1803, which my lords conceive will include all claims, on either side, up to the close of the last war, and my lords are therefore pleased to direct that the accountants, having reference to the principles laid down in the reports of the committees of the House of Commons, and in the minute of this board of 12th June last, should proceed to prepare such an account, and to strike the balance thereupon, so that it may, if possible, be submitted to their lordships early in the ensuing session of Parliament.

In directing this account so to be prepared and balanced, my lords are of opinion, that, notwithstanding any balance which may be declared to be due on either side, it shall be open to either party to produce such claims, though arising prior to the end of the year 1803, and that such claims should be admitted, if properly supported by proofs and vouchers, to the satisfaction of the other, and, in like manner, that either party may, upon what may appear to him sufficient grounds (if furnished to him by any information or documents obtained subsequent to the account being so balanced) proceed to challenge and disallow any items therein, and claim, upon a statement of the case, to have such particular heads of charge reconsidered. And my lords are further of opinion, that any settlement of accounts that may take place between the public and the East India Company, upon the principles, and with the exceptions herein stated, ought not to preclude the respective accountants from proceeding to examine and balance the accounts subsequent to the year 1803, as expeditiously as the nature of the respective claims, and of the vouchers by which they may be supported, will admit, but that this latter account should be proceeded upon separately, and kept distinct from the former.

Transmit copy of this minute to Mr. Wittwer, for his information and guidance, and to the paymaster of the forces, with directions to expedite, as much as possible, the account of claims outstanding against the East India Company in his office, up to the end of the year 1803.

No. II—*Charges in Regimental Accounts objected to---Charges in Extra Payments objectionable---Disputed Deduction from Pay-Office Charges---Abstract Amount Deductions, or Suspensions from Pay-Office Accounts.*

CHARGES IN REGIMENTAL ACCOUNTS OBJECTED TO.

NATURE AND AMOUNT OF THE CHARGE.	GROUNDS OF OBJECTION
1793 77th regiment Paid 20th August, 1792, for subsistence to a Detachment... £. s. d. 294 12 6	The period of charge being antecedent to the commencement by the Act of 1793.
1796 and (25th) Dragons. Extra feed, paid May, 1796. 700 — — Do. Subsistence, paid at the Cape. *150 — —	The regiment embarked at the Cape for India, April, 1796 * Requires explanation as to date. The regiment did not embark till June, 1796, when another large payment is charged. If this sum, 672ol. was for subsistence prior to June, it is not chargeable to the company.
12th regiment of foot: Subsistence, paid 12th April, 1796. 6,726 — —	If this was for a period prior to the 29th April, when the reg. embarked.
19th Do. Subsistence paid April, 1796. 7840 — — Payments in the West Indies, for the 12th and 19th foot. 85 — —	The regiment embarked 1st November, 1796, from the Cape.
33d regiment Subsistence and other payment prior to November, 1796. 7,027 14 — 78th regiment. Subsistence, to October, 1796. 14,676 3 9	The regiment embarked 1st November, 1796
80th regiment. Do to Do 8,627 15 — Do. paid at the Cape. 4,823 — — Allowance. 636 14 — Off-reckonings. 2,332 8 —	Do. - - - Do. Such part as belongs to a date prior to 1st November, 1796.
1797. 78th reg. Allowance to Captains, 4th March to 24th December, 1796. £ 727 14 3	Reg embarked 1st Nov. 1796.
Proportion prior to 1st November, 1796 Do Off-reckonings, 4th March to 24th December, 1796. £ 2,672 8 0	Proportion to 1st November, 1796. 2,154 11 —
80th regiment Similar payments, the period not stated. 2,969 — —	Such part as belongs to a date prior to 1st November, 1796
1798 52d regiment. Recruiting, paid 7th July and 18th August, 1798. 3,027 — — Do Subsistence, paid 25th August. 1,000 — —	The regiment left India in February, 1798, and disembarked in England the 2d August, 1798
71st regiment: Subsistence, paid August, 1798. 2,835 — — Do. Off-reckonings. 1,323 — —	Do - - - Do.
72d Do Do Do. 1,724 — — Do Subsistence. 1,106 14 —	The regiment disembarked 16th July, 1798
25th (25th) Dragons: Subsistence, paid March, 1798. 6,800 — — Do. Off-reckonings, paid June, 1798. 1,935 — —	Do. - - - Do.
Do Allowances to Captains, Do. 369 18 —	If for a period prior to 22d March, 1798, when the regiment embarked, not chargeable
73d, 75th, and 80th Off-reckonings for Augmentation. 795 14 10	If the regiments were augmented in numbers, and the augmentation did not proceed to India, the expense not chargeable.
80th regiment: Subsistence to invalids, paid at the Cape. 22 18 4	Invalids, it is presumed, were kept at the Cape, and not sent to India.
51st Do. Subsistence paid in Portugal, to 24th October, 1798. 2,965 11 5	For periods prior to embarkation of the reg. viz. 2d October, 1798.

(continued)

Charges in Regimental Accounts objected to—*continued*.

NATURE AND AMOUNT OF THE CHARGE		GROUNDS OF OBJECTION.	
1799 10th reg. of foot. Subsistence, paid at the Cape, to 24th January, 1799....	£ 4. d 350 —	Supposed to be for part of the regiment at the Cape.	
51st reg. Off- reckonings for Augmentation	871 1 5	See above, as to augmentation.	
73d Do. - - Do.....	356 1 4		
36th Do. Subsistence paid in August.....	2,300 —	If the reg. disembarked 19th July, and were paid in advance in India	
Do. - Recruiting, paid in June.....	300 —	Improperly charged, the regiment being on its voyage home.	
75th regiment } 77th Do } Subsistence of Invalids, 78th Do } paid at the Cape.... 84th Do } 94th Do }	421 19	Invalids at the cape cannot be charged to the comp. it is not to be supposed they were sent to India.	
800. Do. Do. Do.....	4,599 1 9 146 —	Do - - Do - - Do.	
	146 —		
1801. 19th reg. light dragoons. clothing and accoutrements for augmentation ..	1,482 5	It is understood that the comp are chargeable only for the King's troops, from the period of their embarkation to the 1st day, consequently these regts should be clothed and accoutred, and the furniture for the horses provided, before embarkation. Also the augmentation cannot be chargeable to the comp until the force added to the reg. proceeded to the East Indies.	
Horse furniture for Do.	1,056 11		
Off- reckonings for Do.	286 11		
22d light dragoons similar charges....	2,721 —		
24th - - Do - - Do - - Do.	2,067 10		
25th - - Do - - Do - - Do.....	2,077 16		
Similar charges for clothing and accoutrements, and Off- reckonings for augmentations to the regiments of foot.	2,624 3		
79d Foot 78th - } 84th - } Subsistence to Invalids at the 86th - } Cape..... 94th - }	448 13	Invalids at the Cape cannot be considered as on the India service.	
	12,769 11 4		
1802 Invalids at the Cape, for different regiments, charged this year.....	1,248 1		
Off- reckonings for the augmentation and to complete, for different regiments, charged this year	11,377 10 6	See above	
22d Foot } 34th - } Allowances for great coats	163 16	Cannot be required for India service.	
65th - - Payments this year	6,353 6	By the Adjutant-General's return of 28th April, 1808, this reg left the Cape in September, 1802, and F.b. 1803, proceeded to Ceylon, where it remained until Feb 1804, consequently is not chargeable to the comp. prior to the last-mentioned period	
1803. 8th, 10th, and 22d dragoons. Accoutrements and horse furniture.	218 11 9	See above, 1801.	
34th regiment of foot. Subsistence at the Cape.....	920 17 3	Such part as relates to a period prior to embarkation.	
65th - - Charges this year.....	9,576 18 11	See note in 1802.	
	10,726 7 11		

Charges in Regimental Accounts objected to—*continued.*

NATURE AND AMOUNT OF THE CHARGE.	GROUNDS OF OBJECTION.
1804. 17th foot : Subsistence	6,835 — —
	6,835 — —
1805. 53d foot . pay, March, 1805.	290 6 5
50th Do. Do June 25th.	800 — —
Do Do paid 12th July.	6,640 — —
67th Do. pay, 25th March	232 5 2
Do. 18th April.	8,490 — —
69th Do. Do 25th January.	141 18 9
- - - 25th February.	2,200 — —
- - - 4th March.	5,174 — —
	23,968 10 4
1806. 30th foot pay, 25th April.	2,660 — —
- - - - - 9th May	6,200 — —
- - - - - 19th Do.	1,450 — —
73d Do. - Do - 21st July.	2,160 — —
	12,470 — —
Off-reckonings, 20th March, 1807	1,252 — —
76th - - - Do. - Do	1,279 18 — —
Swiss regiment, Do - Do.	1,112 — —
1807. 1st foot . pay, 25th March.	1,600 — —
- - - - Do 7th April.	5,440 — —
- - - - Do 21st.	2,320 — —
14th Do. - - Do 25th May.	909 13 — —
	14,213 11 — —

Such part as relates to a period prior to embarkation, viz 4th July.

The reg. embarked April 20, 1805.
This reg. embarked 9th July.

This reg. embarked 22d April.

This reg. embarked 23d Feb.

The reg. embarked 6th May.

The reg. disembarked in England the 21st June, 1806.

Do Do. 17th July, 1806.

Do. Do. 1st and 2d Aug. 1806.

The reg. embarked 13th April, 1807.

The reg. embarked 19th June.

YEARS.	Marches.	Innkeepers	Extra Price of Bread and Meat and Necessaries, Consolidated Allowances	Contingen- cies.	Extra Allowance, Extra feed to the Dragoon Regiments.	TOTAL.
1793 ..	..	..	20	..	..	20
1794 ..	..	..	390	..	..	390
1795 ..	390	..	1,210	..	..	1,540
1796 ..	2,655	..	1,294	..	..	3,949
1797 ..	465	300	1,490	..	..	2,255
1798 ..	180	50	..	440	..	670
1799 ..	150	..	..	..	..	150
1800 ..	..	370	..	..	..	370
1801 ..	..	..	..	630	110	740
1802 ..	..	1,465	230	990	60	2,745
1803 ..	..	3,418	406	919	50	4,793
1804 ..	..	3,515	435	946	50	4,946
1805 ..	..	5,075	..	3,805	290	9,680
1806 ..	..	3,490	..	1,797	290	5,577
1807 ..	..	2,340	..	780	..	3,120
£	2,780	20,843	5,475	10,397	560	40,945

It is understood, that Charges of these description having no relation to Troops in India, are not properly carried to the debit of the Company.

CHARGES IN-EXTRA PAYMENTS OBJECTIONABLE.

NATURE AND AMOUNT OF THE CHARGE	GROUNDS OF OBJECTION.
1793. Pay to Major Durom, as deputy - adjutant - general in India, 25th December, 1792, to 31st January, 1793.....	Major Durom left India February, 1792, and another officer was paid as deputy-adjutant-general from that period.
1794. Do Do. Do. to the 31st July, 1793.....	Do. - Do - Do.
1795. Pay of Major Haldane, as Deputy quarter-master-general in India, 365 days, to 30th November, 1794.....	Major Haldane left India in December, 1793, and another officer was paid as deputy quarter-master-general thereafter.
1797: Pay of Major-General Ross, as adjutant general in India, 365 days, to 24th October 1794.....	General Ross left India 10th Oct. 1793, and another officer was paid as adjutant general after that time.
Pay of Lieut. Colonel Nighthingale as major of brigade, 212 days, to 31st March 1795.....	Lieut. Col Nighthingale left India in July, 1794, and another officer was paid as Major of Brigade after that period.
Passage money to officers of the 78th regiment to the Cape.....	The passage money of these officers from England to India was paid in Bengal.
Passage money to the officers of the 80th regiment to the Cape.	The reg. not chargeable to the company until after it left the Cape.
1799: Pay to Lieut. Col. Auchmuty, as Adjutant general in India.....	Lieut Col. Auchmuty left India in January, 1797, after which another officer was paid as Adjutant-general.
Pay to Lieut. Colonel Hall, as quarter-master-general in India.....	For the same reason.
Passage money to India, for officers of the 36th, 52d, 71st, and 72d regiments.....	These regs. left India in 1798. Half the expense only to be borne by the company.
Do - - - to officers of the 19th regiment, £180.....	Dr. Ewart's appointment as Physician Gen. at Ceylon was not made by the company, nor was Ceylon under the company's direction after October, 1798.
1800: Pay to Dr. Ewart, as Physician-general in Ceylon, to 24th December, 1798.....	Lieut. G. Cornish left India in March 1798, and another officer was paid as brigade-major after that period.
Passage money to Dr. Ewart	See above.
Pay to Lieut. George Cornish, as brigade major, 337 days, to 31st January, 1799.....	This reg. left India in 1798.
Passage to India for officers of regiments serving in Ceylon, 1,620l. half.....	These officers left India in February, 1801, and others were paid as adjutant and quarter-master-general from that time.
Passage money to India, of officers of the 52d regiment...	See above.
1802: Pay to Lieut Colonel Gordon as adjutant gen. 191 days, to 24th August, 1801, 191l. and to Lieut. Colonel Cliffe, as quarter-master-general in India 186 days, to 19th August 1801, 186l.....	
Pay to Dr. Ewart.....	

Charges in Extra Payments Objectionable—*continued*

NATURE AND AMOUNT OF THE CHARGE	GROUNDS OF OBJECTION.
Amount brought forward	
1803: Passage money to India for officers of the 19th and 51st regiments to India	These regts were serving in Ceylon, and no expense thereof is chargeable to the company after December, 1801
Do. - Do. - to Do of the 71st regiment	1,140 — —
Do. - Do. - of the 61st regiment	70 — —
1804: Passage money to India of officers of the 19th and 51st regiments.	This reg. left India in 1798 This reg. was not on the India establishment.
Pay to Captain Handasyde, as Judge advocate	95 — —
1805: Passage money to India for officers of the 19th regiment foot	See above.
Staff pay to General Baird, from 11th May, 1803.	665 — —
Do. - - to General Sir James Craig, from December, 1801 ..	Captain Handasyde left India in May, 1803.
Do. - - Lieutenant-Colonel Nicholson, as deputy adjutant-general in India	183 — —
1806 Allowances to Gen. Don	The 19th reg. was in Ceylon.
Clothing for supernumeraries of the late 9th West India regiment	95 — —
Pay to Lieut. Colonel Nicholson	General Baird left India in May, 1803
	329 2 4
	General Sir James Craig left India in December, 1801
	428 12 2
	Lieut. Colonel Nicholson left India in December, 1803.
	297 — —
	General Don was not in India
	1,568 6 5
	This reg. was never in India.
	678 — 2
	See above.
	244 — —
Total - - £16,439 19 —	

*Computed DEDUCTION from PAY-OFFICE CHARGES, for
Regiments serving in Ceylon,*

1795—The 72d Regiment was in Ceylon from Sept. to Dec. 1795.	The Charge, in 1795, is £	3,620	
	say 1-3	- -	1,207
The 52d Regiment was in Ceylon, October to Dec 1795:	The Charge in 1795 is £	5,967	
	say 1-4	- -	1,492
The flank companies of the 71st and 73d were also in Ceylon, but no just estimate can be made of the proportion to be de- ducted.			
	Deduction from 1795	- -	2,699
1796—The 74d Regiment was in Ceylon Janu- ary to March	Total Charge £	6,899	
	say 1-1	- -	1,723
A Detachment continued till October, but the proportion cannot be made			
The 72d and 73d were in Ceylon the whole year	72d Total Expense £	8,287	
	73d Do - - -	9,400	
		17,687	
	1-3 for January to April.	- -	5,894
			7,619
			5,894
Half of the remaining 2-3	- -		
The 19th Regiment was in Ceylon December, 1796	Total Charge 1796	13,248	
	say 1-12	1,104	
	half is	- -	552
	Deduction from 1796	- -	14,007
1797—The 19th Foot was in Ceylon this year	Total Charge	11,180	
	half	- -	5,590
The 72d and 73d were in Ceylon January to April	Do	10,163	
	say 1-3	3,387	
	half	- -	1,693
The 80th Regiment was in Ceylon March to December	Total Charge	11,424	
	say 5-6	9,520	
	half	- -	4,760
	Deduction from 1797	- -	12,043

Computed Deduction from Pay-Office Charges, &c.—continued.

1798—The 19th and 80th Regiments were in Ceylon this year				
	19th Total Charge	7,474		
	80th Do	6,607		
		<hr/>		
	half	14,081		
			7,040	
		<hr/>		
	Deduction from 1798	-	-	7,040
1799—The 19th and 80th Regiments were in Ceylon this year.				
	19th Total Charge	7,105		
	80th Do	7,396		
		<hr/>		
	half	14,501		
			7,251	
		<hr/>		
	Deduction from 1799	-	-	7,251
1800—The 19th, 51st, and 80th Regiments were in Ceylon this year:				
	19th Total Charge	6,008		
	51st Do	5,016		
	80th Do	5,125		
		<hr/>		
	half	16,149		
			8,075	
		<hr/>		
	Deduction from 1800	-	-	8,075
1801—The 19th, 51st, and 80th Regiments were in Ceylon this year				
	19th Total Charge	12,401		
	51st Do	12,605		
	80th Do	11,142		
		<hr/>		
	half	36,148		
			18,074	
		<hr/>		
	Deduction from 1801	-	-	18,074
1802—The Charges for the Regiments at Ceylon in 1802, and following years, are stated in the Pay Office Account, to be, for 1801. In 1802 the Charge for the 19th Regiment is				
	51st Do	8,281		
		6,147		
		<hr/>		
	half	14,428		
			7,214	
The 80th Regiment left Ceylon this year, and arrived at Madras in September, 1802;				
	The whole Charge being	8,730		
		<hr/>		
	take 7-12 for the sum to be divided	5,092		
	half		2,546	
		<hr/>		
	Deduction from 1802	-	-	9,760
1803—The Charge for the 19th Regiment is				
	Do	298		
	51st Do	193		
		<hr/>		
	half	491		
			245	
		<hr/>		
	Deduction from 1803	-	-	245
1805—The charge for the 19th Regiment is				
	half	302		
		<hr/>		
		151		
		<hr/>		
	Deduction from 1805	-	-	151
		<hr/>		
	TOTAL	-	-	79,403

Appendix, No 1.

Statement of the Account between the Public and the East India Company, prepared conformable to the Resolutions of the Select Committee appointed to enquire into the present State of the affairs of the East India Company

	Principal	Interest	Total
MAURITIUS			
1794-5 —Expenses paid in India	123,610		
Interest, at 69 per cent from 1st November, 1794, to 1st March, 1808		102,185	
Total			225,795
Demurrage, &c paid in England.	31,510		
Interest at L 4 10 11½ per cent from 1st August, 1794 to 1st March, 1808		13,265	
Total			50,975
	155,120	121,650	276,770
Deduct overpaid, in 1797, for stores sent out for the Expedition, but afterwards used for other Services	35,380		
Interest at 4 per cent per Annum, the rate charged in 1797, on all Payments from Government, from 1st Aug 1797, to 1st March, 1808.		15,189	
Total			51,069
Total, MAURITIUS	119,240	106,461	225,701
CAPE OF GOOD HOPE			
1795-6 —Demurrage, &c paid in England	68,538		
Interest at L. 5. 19 9½ per cent, from 1st May, 1797, to 1st March, 1806		41,464	
Total			118,002
1796-6 —Sundries Bengal	93		
Interest at 7 14 per Cent, from 1st November, 1795, to 1st March, 1808.		82	
Total			175
1797-8 —Gunpowder from Bengal	8,768		
Interest at 11. 72 per Cent from 1st November, 1797, to 1st March, 1808		10,619	
Total			19,387
1800-1 —Freight &c Bengal	1,990		
Interest at 9 27 per cent from 1st November, 1800, to 1st March, 1808		1,352	
Total			3,342
1801-2 —Sundries, Freight, &c Bengal	18,423		
Interest at 8 72 per cent from 1st November, 1801, to 1st March, 1808		10,174	
Total			28,597
1802-3 —Freight, &c Bengal	357		
Interest at 7 8½ per cent from 1st November, 1802, to 1st March, 1808		149	
Total			506
Total, Cape	98,169	66,840	165,009
Total.	217,409	173,301	390,710
Carried over.			390,710

No. IV.—Statement of the Account between the Public and the East India Company,
&c —continued

	Principal	Interest.	Total.
	£	£	£
Brought over			390,710
MANILLA:			
1797-8 Provisions, freight, &c.	252,286		
Interest at 11 72 per cent. from 1st November, 1797, to 1st March, 1808		305,535	
Total			557,821
Deduct stores returned, 1798 9... ..	21,313		
Interest at 10.6 per cent. from 1st November, 1798, to 1st March, 1808		21,085	
Total... ..			42,398
1798-9. Freight, &c.	230,973	284,450	515,423
Interest at 10 6 per cent. from 1st November, 1798, to 1st March, 1808	6,542		
Total		6,472	13,014
Table money paid in England.....	4,990		
Interest at 6 <i>l</i> 4 <i>s</i> . 11 <i>d</i> per cent. on 2,589 <i>l</i> . from 1st November, 1798, to 1st March, 1808.....		1,509	
Do at 5 <i>l</i> 6 <i>s</i> 2 <i>3d</i> . per cent. on 2,401 <i>l</i> . from 1st July, 1799, to 1st March, 1808.....		1,105	2,614
Total... ..			7,604
Freight, &c. paid in England.....	105,016		
Interest at 5 <i>l</i> 6 <i>s</i> 2 <i>3d</i> . per cent. from 1st Jan. 1799, to 1st March, 1808.....		51,121	
Total... ..			156,137
Remuneration to commanders and officers of Ships paid in England, January, 1800.....	8,700		
Interest at 4 <i>l</i> 14 <i>s</i> . 2 <i>3d</i> . per cent. from 1st February, 1800, to 1st March, 1808.....		3,312	
Total... ..			12,012
Do. Do. paid in April, 1800.....	2,750		
Interest as above, from 1st May 1800, to 1st March, 1808.....		1,015	
Total.....			3,765
Total.....	338,971	348,984	707,955
Carried forward			1,093,665

No. 4.—Statement of the Account between the Public and the East India Company,
&c.—continued.

	Principal.	Interest.	Total.
Brought forward.....	£	£	£
Vessels, &c. and Stores for King's Ships,	...	...	...
1797-8.....	29,603		
Interest at 11 7½ per cent from 1st Nov.			
1797, to 1st March, 1808.....		35,851	
Total.....			65,454
1798-9.....	29,793		
Interest at 10 6 per cent from 1st Novem-			
ber, 1798, to 1st March, 1808.....		29,387	
Total.....			59,090
1799-1800.....	18,811		
Interest at 9 14 per cent from 1st Novem-			
ber, 1799, to 1st March, 1808.....		11,327	
Total.....			33,138
1800-1.....	13,200		
Interest at 9 27 per cent from 1st November,			
1800 to 1st March, 1808.....		8,974	
Total.....			22,174
1801-2.....	9,5164		
Interest at 8 7½ per cent from 1st Novem-			
ber, 1801, to 1st March, 1808.....		13,891	
Total.....			39,045
1802-3.....	5,723		
Interest at 7 82 per cent from 1st Novem-			
ber, 1802, to 1st March, 1808.....		9,379	
Total.....			15,082
1803-4.....	21,172		
Interest at 8 per cent from 1st November,			
1803, to 1st March, 1808.....		7,144	
Total.....			28,916
1804-5.....	30,381		
Interest at 8 84 per cent from 1st Novem-			
ber, 1804, to 1st March, 1808.....		8,952	
Total.....			39,333
1805-6.....	20,749		
Interest at 9 688 per cent from 1st Novem-			
ber, 1805, to 1st March, 1808.....		4,690	
Total.....			25,439
	191,776	125,895	317,671

DEDUCT :

1799-1800 Bills in favour of Court.....	6,808		
Interest at 9 14 per cent from 1st Novem-			
ber, 1799, to 1st March, 1808.....		5,185	
Total.....			11,993
1800-1 Do. - - Do.	24,790		
Interest at 9 27 per cent from 1st Novem-			
ber, 1800, to 1st March, 1808.....		16,852	
Total.....			41,642
	31,593	22,037	53,635
Nett.....	160,173	103,858	264,039

DANISH CAPTURES

1801-2. Amount Expenses.....	23,559		
Interest at 8 72 per cent from 1st Novem-			
ber, 1801, to 1st March, 1808.....		13,010	
Total.....			36,569
			36,569

Carried over.....
+ 0 0 2.....

No. 4 —Statement of the Account between the Public and the East India Company, &c —continued.

	Principal	Interest.	Total
	<i>L.</i>	<i>L.</i>	<i>L.</i>
Brought over .....	...	...	1,402,279
EGYPTIAN EXPEDITION			
1798-9 —Naval Armament to join Admiral Blanket in the Red Sea	17,058		
Interest at 10 G. per cent. from 1st March, 1799, to 1st March, 1802.		16 27s	
Total			33,331
1800-1 —Expense of Expedition, Freight, &c	679,903		
Interest, at 9 27 per cent from 1st Nov 1800, to Do		458,119	
Total			1,122,0
1801-2 —Expense	681,799		
Interest, at 8 72. per cent from 1st Nov, 1801, to Do		276,535	
Total			1,008,334
1802-3 —Expense.....	469,047		
Interest, at 7 82 per cent from 1st Nov 1802, to Do		193,723	
Total			664,670
Bills drawn by General D'Almeida in 1802 ..	76,736		
Interest, at 3 18 1½. per cent. from times of payment to Do		16,299	
Total			93,035
Total.....	1,018,543	1,002,849	2,931,392
Deduct—Usual or ordinary pay of Troops in Egypt, as in former account.....			300,000
Remainder.....			£. 2,581,392
Add—Estimated Amount of the Ordinary Charges of such of his Majesty's regiments as went from India to Egypt, and did not return thither, of the regiment that was in Egypt, and not landed in India, and the ordinary charges of levies made in India, to replace Volunteers from Native Corps sent to Egypt, including interest.....			180,000
			2,861,392
Carried forward.....			£. 4,263,662

No. 4.—Statement of the Account between the Public and the East India Company, &c.—*continued*

	Principal		Interest.		Total.
	<i>L.</i>	<i>L.</i>	<i>L.</i>	<i>L.</i>	<i>L.</i>
Brought over ... ..	...	...	...	...	4,263,662
CEYLON, including ordinary Charges from 1795 to 31st October, 1798 —after that period the supplies furnished charged.					
1795-6 —Expense of Capture	364,021				
Interest, at 7. 14 per cent from 1st Nov. 1795, to 1st March, 1808		320,557			
Total				684,578	
1801 —Balance of Property, 31st Dec.	L 248,791				
Remittances, January to April, 1802	£5,753				
	304,544				
Interest, at 9 27 per cent on 12,814 from 1st Nov 1800	8,711				
Do at 8.72 per cent. on 255,977, from 1st Nov 1801	190,322				
Do at 8.72 per cent on 55,753 from 1st March, 1802	29,170				
Total			168,203		472,747
1802-3 —Remittances	70,682				
Interest, at 7 82 per cent from 1st Nov 1802, to 1st March, 1808		29,479			
Total				100,161	
1801 to 3 —Freight, &c of Stores, Troops, &c sent to Ceylon, on account of government, estimated at	20,000				20,000
1803-4.—Remittances	63,827				
Interest, at 8 per cent from 1st November 1803, to 1st March, 1808		27,860			
Total				92,687	
1804-5	55,834				
Interest, at 8 84. per cent. from 1st Nov. 1804, to 1st March, 1808		16,452			
Total				72,286	
1805-6	13,594				
Interest, at 9 6 88 per cent from 1st Nov 1805, to 1st March, 1808.		9,073			
Total				16,667	
1806-7	21,171				
Interest, at 8 per cent. from 1st November, 1806, to 1st March, 1808.		2,597			
Total				26,948	
Total CEYLON, chargeable in full	921,853	564,221	1,486,071		1,486,074
Carried over					5,749,736

No. 4.—Statement of the Account between the Public and the East India Company, Dec. 31, 1808.

	Principal	Interest.	Total
	<u>L.</u>	<u>L.</u>	<u>L.</u>
Brought over.....	...	...	5,749,736
Expense of Maintenance, 1796 to November, 1798, and sup- plicated until date, to 31st De- cember 1801, including ordi- nary Charges in the first period.			
1793	251,881		
Interest at 8 per cent from 1st Nov 1793 to 1st March, 1808		235,223	
Total			487,104
1797-8	110,845		
Interest at 11 per cent from 1st Nov 1797 to 1st March, 1808		134,241	
Total			245,086
1799	361,014		
Interest at 6 per cent from 1st Nov 1799 to 1st March, 1808		337,163	
Total			718,177
1799-1800	296,007		
Interest at 11 per cent from 1st Nov 1799, to 1st March, 1808.		225,459	
Total			521,466
1800-1	283,730		
Interest at 9 per cent from 1st Nov 1800, to 1st March, 1808		192,880	
Total			476,610
1801, to December 1801	237,518		
Interest at 8 per cent from 1st Nov. 1801, to 1st March, 1808		113,174	
Total			350,692
	1,540,995	1,258,110	2,799,135
Deduct. Balance of Property, as above	248,791	139,033	387,824
	<u>L</u> 1,292,204	<u>1,119,107</u>	<u>2,411,311</u>
Carried forward half allowed ..	646,102	559,554	1,205,656
Carried forward.....			5,749,736

No 4—Statement of the Account between the Public and the East India Company, &c—*continued.*

	Principal		Interest		Total	
	L.	£	L.	£	L.	£
Brought forward - -	-	-	-	-	-	5,749,796
Ceylon—brought forward	646,102	539,554	1,203,656	-	-	-
EASTERN ISLANDS, including Ordinary Charges	-	-	-	-	-	-
1795-6 - - - -	-	-	70,985	-	-	-
Interest at 7 14 per cent. from 1st Nov 1795, to 1st March, 1808	-	-	-	62,509	-	-
Total - - - -	-	-	-	-	133,494	-
1796-7. - - - -	-	-	150,450	-	-	-
Interest at 8 24 per cent. from 1st Nov. 1796, to 1st March, 1808.	-	-	-	140,500	-	-
Total - - - -	-	-	-	-	290,950	-
1797-8: - - - -	-	-	84,780	-	-	-
Interest at 11 72 per cent. from 1st Nov 1797, to 1st March, 1808	-	-	-	102,674	-	-
Total - - - -	-	-	-	-	187,454	-
1798-9. - - - -	-	-	186,763	-	-	-
Interest at 10 6 per cent from 1st Nov. 1798, to 1st March, 1808	-	-	-	184,771	-	-
Total - - - -	-	-	-	-	371,534	-
1799-1800 - - - -	-	-	127,130	-	-	-
Interest at 9 14 per cent from 1st Nov 1799, to 1st March 1808.	-	-	-	96,881	-	-
Total - - - -	-	-	-	-	223,961	-
1800-1. - - - -	-	-	231,840	-	-	-
Interest at 9 27 per cent from 1st Nov 1800, to 1st March, 1808	-	-	-	159,644	-	-
Total - - - -	-	-	-	-	394,484	-
1801-2 - - - -	-	-	195,850	-	-	-
Interest at 8 72 per cent from 1st Nov. 1801, to 1st March, 1808	-	-	-	108,161	-	-
Total - - - -	-	-	-	-	304,011	-
1802-3 - - - -	-	-	215,528	-	-	-
Interest at 7 82 per cent from 1st Nov. 1802 to 1st March, 1808	-	-	-	89,890	-	-
Total - - - -	-	-	-	-	305,418	-
1803-4. - - - -	-	-	215,184	-	-	-
Interest at 8 per cent from 1st Nov 1803, to 1st March, 1808.	-	-	-	74,598	-	-
Total - - - -	-	-	-	-	289,782	-
1804-5 - - - -	-	-	37,964	-	-	-
Interest at 8 84 per cent from 1st Nov. 1804, to 1st March, 1808	-	-	-	11,186	-	-
Total - - - -	-	-	-	-	49,150	-
1805-6 - - - -	-	-	55,612	-	-	-
Interest at 9 6 88 per cent. from 1st Nov 1805, to 1st March, 1808.	-	-	-	12,572	-	-
Total - - - -	-	-	-	-	68,184	-
CANTON - - - -	4,300	-	1,288	5,588	-	-
Bills on Europe, not included above	15,568	-	4,140	19,708	-	-
	£	1,594,954	1,048,764	2,643,718	-	-
Half - - - -	-	797,477	524,382	1,321,859	-	-
Carried forward .Total half Ceylon and the Eastern Islands, with interest to 1st March, 1808	-	1,117,579	1,083,930	2,201,509	-	-
Carried over - - - -	-	-	-	-	5,749,796	-

No 1—Statement of the Account between the Public and the East India Company,
 &c — &c — &c

	Principal Interest Total		
	£.	£.	£.
Brought over - - -	-	-	5,749,736
OFFICION, &c brought over - -	1,449,579	1,083,936	2,537,515
Deduct - Half the Profit on Spices - -	423,395	-	-
	L.	L.	
Interest at 6/ 1 11 per cent on 6,431			
from 1st Oct 1798, to 1st Mar			
1808 - - - - -	-	-	3,812
Do at 5/ 6 7½ per cent on 47,615			
from 1st June, 1799, to Do - - -	-	-	22,139
Do - - at - - Do - - on, 56745			
from 1st Dec 1799, to Do - - -	-	-	24,860
Do at 5/ 14 2½ per cent on 53,816			
from 1st August, 1800, to Do - -	-	-	12,077
Do at 7/ 3 3½ per cent. on 16,460			
from 1st Jan 1801 to Do - - -	-	-	6,219
Do - - at - Do - - on 7,549			
from 1st March - - Do to Do - -	-	-	2,786
Do - - at - - Do - - on 37,987			
from 1st July - - Do to Do - -	-	-	13,351
Do - - at 3/ 18 1½ per cent on 18,857			
from 1st Feb 1802 to Do - - -	-	-	9,117
Do - - at - - Do - - on 3,161			
from 1st April - - Do to Do - -	-	-	731
Do - - at - - Do - - on 46,349			
from 1st July - - Do to Do - -	-	-	10,262
Do - - at 5/ 2 5 per cent on 9,859			
from 1st Feb 1803 to Do - - -	-	-	2,567
Do - - at - - Do - - on 37,612			
from 1st August - Do to Do - -	-	-	8,828
Do - - at 5/ 9 2½ per cent on 21,828			
from 1st Jan, 1804, to Do. - - -	-	-	4,966
Do - - at - - Do - - on 20,110			
from 1st August - - Do - Do - -	-	-	3,974
Do - - at 5/ 3 2½ per cent on 15,797			
from 1st Feb 1805, to Do - - -	-	-	2,513
Do - - at - - Do. - - on 17,404			
from 1st July - - Do to Do - -	-	-	2,395
Do - - at 5/ 19 7 per cent on 3,923			
from 1st Feb, 1806 to Do - - -	-	-	406
Do - - at - - Do - - on 2,313			
from 1st Sept - - Do to Do. - -	-	-	175
	423,395	-	131,136
Total - - - - -	-	-	551,531
Remains - - half Net Expenses, deducting } half the Profit on Spices - - - }	1,020,184	932,800	1,972,984
Carried forward - - - - -	-	-	7,722,720

No. 4.—Statement of the Account between the Public and the East India Company, &c.—cont.nued.

	Principal	Interest	Total
	<u>L.</u>	<u>L.</u>	<u>L.</u>
Brought forward			7,722,720
TRINIDAD			
Expense attending Chinese settlers	23,400		
Interest, at 9 6 88 per cent from 1st Nov 1805, to 1st March, 1808		5,290	
Total			28,690
1797 CEYLON			
Bills drawn for the regiment De Meuron, paid in 1797, not included in the former account	52,000		
Interest, at 5 19 9½ per cent from 1st March, 1797, to 1st March, 1803		21,084	
Total			53,084
1805-6. CAPE OF GOOD HOPE			
Value of Company's cargo on board the Erranma lost going to the Cape. 119,811			
Value of Ship and Stores	149,811		
Interest, at 5.3 2½ per cent from 1st Nov. 1805		18,035	
Total			167,846
Supplies from St Helena	5,708		
Interest, at 5 per cent from Nov 1, 1805		666	
Total			6,374
Drafts on Bengal by the Military and Naval Commanders, for Peer taken out of the Varunna, country ship, and issued to King's troops	L-3370		
Freight, &c of King's troops on two ships			938
Ditto of ships taken up by the Military and Naval Commanders to forward troops, &c to India			ascertained
Estimated Demurrage of Ships going to the Cape	17,572		
	21,880		21,880
Rice sent from Madras	7,602		
Interest, at 8 per cent from 1st July, 1806		1,014	
Total			8,616
BUENOS AYRES			
Sundries supplied from St Helena in 1806, for the expedition, pay, &c to troops sent, estimated	3,844		
Interest, at 5 per cent. from 1st Nov 1806, to 1st March, 1808		256	
Total			4,100
Passage of officers, &c to the Cape and Ceylon, men sent out for the Navy, Stores, &c	115,964	32,057	148,021
Estimated amount of charges incurred by the East India Company, for prisoners captured at sea, from the year 1793	900,000		300,000
	660,209	78,402	738,611
Total Debits carried over.			8,461,331

No. 4 —Statement of the Account between the Public and the East India Company, &c *continued*

	Principal.		Interest		Total	
	L.	£	L.	£	L.	£
Debits—brought forward. ....	.	...	.	...	.	8,461,331
CREDITS						
By Cash, August 1798	100,000					
Interest, at 10. 6 per cent from 1st Sept. 1798, to 1st March, 1808, deducting expense of Remittance in India..	93,642					
Total					193,642	
Ditto, October, 1798.	100,000					
Interest as above, from 1st November, 1798, ditto....	91,875					
Total					191,875	
Ditto, July, 1799	200,000					
Interest, at 9 14. per cent from 1st Aug. 1799, ditto..	142,787					
Total					342,787	
Ditto July, 1803	500,000					
Interest, at 8 per cent. from 1st August, 1803, ditto..	148,043					
Total.....					648,043	
Ditto September 1803	500,000					
Interest, as above from 1st October, 1803, Ditto ..	141,377					
Total					641,377	
Ditto, August 1805	500,000					
Interest, at 9 6 38 per cent, from 1st Sept 1805, ditto ..	85,810					
Total					585,810	
Ditto, September, 1805	500,000					
Interest, as above, from 1st October, 1805, Ditto... ..	81,773					
Total.....					581,773	
Ditto, July, 1806	1,000,000					
Interest, at 8.0 32, per cent. from 1st August, 1806, ditto.	56,593					
Total.....					1,056,593	
Total Receipts, with interest, to 1st March, 1808, carried forward.....	3,400,000	841,900	4,241,900			
Total Debits, carried forward.....						8,461,331

No. 4.—Statement of the Account between the Public and the East India Company, &c.—*continued*

Principal Interest, Total.

	<u>L.</u>	<u>L.</u>	<u>L.</u>	<u>£.</u>
Total Debits—Brought forward	8,461,931

Receipts—Brought forward..	...	3,400,000	841,900	4,241,900
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L BY PAY OFFICE DEMANDS

L.

1793 28,397	Int 14 s 4 pr	ct. 1 July 1793 to 1 Mar. 1808.	17,476
1794 48,826	do 4 10 11½	do — 1794 to - do -	30 348
1795 50,317	do. 4 15 9	do. — 1795 to - do -	30 513
1796 179,017	do. 4 14 3	do — 1796 to - do -	92,924
1797 113,096	do. 5 19 9½	do. — 1797 to - do. -	72,211
1798 173,116	do. 6 4 11	do — 1798 to - do -	101 521
1799 210,748	do 5 6 2½	do. — 1799 to - do -	96,994
1800 175,079	do 4 14 3'	do. — 1800 to - do. -	63,245
1801 258,740	do 5 5 5½	do. — 1801 to - do. -	90 36
1802 302,758	do. 3 18 1¼	do. — 1802 to - do -	44 893
1803 176,952	do 5 2 5	do — 1803 to - do. -	42,287
1804 179,883	do 5 9 2½	do. — 1804 to - do -	37,008
1805 237,513	do 5 3 2½	do — 1805 to - do -	37 678
1806 235,581	do. 4 19 7	do — 1806 to - do -	19 550
1807 220,255	do 4 14 7	do. — 1807 to - do -	6,944

2,480,408	781,508
18,697 Deduct bills in favour of the Comp not paid	4,699

2,461,711	776,809
-----------	---------

Ded 100,000 at 4 14 s pr	ct. from 1st May, 1796, to ditto,	
paid by the Company, in Apr 1796....	55,765	

L 2 361,711	721,044
-------------	---------

Total—Pay Office Demands...	2,361,711	721,044	3,082,755
By Victualling Office Demands .	53,171	26,853	80,024

5,814,882 1,589,797 7,404,679

Deduct, Amount suspended from the Pay Office Demands, on the grounds of the objections to those Accounts.....	443,767
---	---------

TOTAL CREDITS... 6,960,912

BALANCE in favour of the East India Company 1,500,119

May, 1808.

(Errors Excepted.)

Thomas Nicholas Wittwer.
William Wright

Appendix, No 5
REPORT from the COMMITTEE on
the account between the Public and
the East India Company. *Ordered to be
printed 25th Jan, 1805* Vide page 30,
et infra, Asiatic Annual Register 1805,
title, State Papers.

Appendix, No 6
[*Being Appendix No 10 to the report or-
dered to be printed 25th Jan 1805*]
Minute, of the meetings held between
the Right Honourable Charles Blagden
and Nicholas Vansittart, Esq. appointed
by the right honourable the Chan-
cellor of the Exchequer, and the lords
of the treasury on the part of govern-
ment and Jacob Barnequet, Esq.
deputy chairman, and Sir Hugh
Ingles, Bart. on the part of the court
of directors, for the purpose of set-
tling and a passing the accounts now
depending between the public and
the East India Company. Vid. page
181, et infra, State Papers, Asiatic
Annual Register, 1805

Appendix, No 7
Supplement to the Observations pre-
sented by the Court of Directors to
the Committee of the House of Com-
mons, on the 31st March 1800, re-
specting the claims of the company
on government

THE chief ground on which the com-
missioners on the part of government,
and the committee of 1805 objected to
allow the full expense incurred by the
company on account of Ceylon, the
Moluccas and Malacca the first of
which settlement was made a king's
government, and the others in the gen-
eral arrangements of the peace of Amiens
restored to the Dutch, was, that the
public had borne the whole expense of
the Egyptian expedition, with a share
of which the company might very well
be charged, and the committee of 1805
have said, that they have aimed at such
general arrangement upon the whole of
the account, as might best reconcile, on
a question liable to considerable differ-
ence of opinion, the four claims of the
parties

Now the court of directors presume
to think, that the arguments which have
been advanced to shew, that the com-
pany ought to be charged with a part of
the expense of the Egyptian expedition,
have been successfully answered. But
supposing the company justly charge-
able with a share of that expense, sup-

posing even that share to be made one
half, which is a proportion far beyond
what, upon a just application of the
principle, the Indian territory can afford
or fairly be burdened with for any
such expense, still this mode of settle-
ment would be far less injurious to the
company than the one which has been
adopted, as will most clearly appear by
the following statement, formed upon
the last settlement made of the charges
of the capture and maintenance of
Ceylon, the Molucca Islands, Malacca,
and the Egyptian expedition.

The company are charged with half
the expense of the maintenance of Cey-
lon, the Moluccas and Malacca, which
is as follows

Ceylon - - - -	1,205,656
Eastern Islands, &c - - -	1,921,859
	<hr/> 2,527,515

Deduct half the profit on
spices which the company
have moreover allowed to
Government - - -

554,551

Remains a clear deduction
from the charge made by
the company against gov-
ernment - - - -

1,972,964

The whole amount of ex-
pense incurred by the
company for the Egyptian
expedition, on the 1st
March, 1808, is 2,661,392/
one half of which, if
charged to the company,
would be - - - -

1,430,696

Difference - - - -

542,283

So that by the mode of settlement
adopted by the committee of 1805, on
the supposition of a fair adjustment
of the claims of the parties, the company
suffer more than if the principle of an
equal participation of expense had, in
following up what the commissioners on
the part of government contended
would be just, been applied to the sever-
al expeditions to Ceylon, the Eastern
Islands and Egypt, to the extent of
542,283/ which sum the company
contend to be due to them upon the
principles maintained in favour of gov-
ernment; but, upon the principles
they themselves maintain, they claim the
whole sum of 1,972,964/

East India House,
24th May, 1808.

Appendix, No. 8.

Average of the undermentioned Receipts and Payments of the East India Company, in England, for the following Periods, together with an Estimate of the same for the current Year, from 1st March, 1808, to 1st March, 1809.

	Average of 5 Years from 1st March, 1798, to 1st March, 1803.	Average of 5 Years from 1st March, 1803, to 1st March, 1808.	Average of 1 Year from 1st March, 1798, to 1st March, 1808	Estimate from 1st March, 1808, to 1st March, 1809.
RECEIPTS				
	<i>L.</i>	<i>L.</i>	<i>L.</i>	<i>L.</i>
Company's goods sold	7,133,142	5,520,329	6,326,735	4,932,116
Hon. Board of Ordnance, for salt- petre	24,049	68,000	16,025	185,000
Charges and profit on private trade Freight on ditto	167,966	152,555	160,260	80,000
Interest received of the Bank on the company's share of annuities.	36,227	36,221	36,225	36,226
	7,261,384	5,777,105	6,569,245	5,233,372
PAYMENTS				
Customs.	367,229	108,717	237,973	59,884
Freight and Demurrage	1,511,693	1,512,615	1,512,154*	1,788,405
Goods and Stores exported, and Bullion.	2,481,083	2,953,065	2,722,524	2,044,929
Bills of Exchange from India.	900,051	523,876	711,965	1,122,175
— Do. — China.	556,007	525,310	540,658	855,856
Charges General, including Supra Cargoes, Commission, Interest on Loans, &c. &c.	725,876	736,622	730,999	758,000
Dividends on Stock, and Interest on Loans.	709,391	742,500	725,945	857,000
Pay to Marine and Military officers on Furlough and retired from service.	45,796	127,884	86,590	160,000
	7,296,629	7,260,989	7,278,808	7,646,279

East India House, 12th May, 1808. (Errors excepted)

CHAS. CARTWRIGHT, *Accountant-Gen.*

* In this way of stating the Accounts, the estimated Freight on Private Trade is left out; for which reason the Amount of this Head is not the same here as in the Annual Ac-

COMPARISON of the Fixed and Permanent Sources of RECEIPTS and Receipts and Payments which are of a temporary or occasional nature, and Private Trade, beyond the Charges and Profit thereon, in the

RECEIPTS.	1st Mar. 1798 to 1st Mar. 1803	1st Mar. 1803 to 1st Mar. 1808	More latter pe- riod	Less latter period
	L.	L.	L.	L.
Company's Goods, including Sal- pêtre to the Board of Ord- nance	35,785,958	27,941,646	—	7,844,312
Charges on Profit and Private Trade	839,828	762,775	—	77,053
Interest on the Annuities	181,134	181,119	—	15
	36,806,920	28,885,540	—	7,921,380

Total Receipts from 1st March, 1798, to 1st March, 1803 36,806,920
 Payments - - Do - - - - Do 36,484,145
 Surplus L 322,775

Total Receipts from 1st March, 1803, to 1st March,
 1808 L 28,885,540
 Payments - - Do. - - - - Do. 36,304,951

Deficiency 7419,411

Deficiency L 7,095,636

Supplied as under

Balance Cash, 1st March, 1798 540,645
 Receipts from Government on account of the Company's Claims . . 34,19,069
 Do. - - - Do - - for Ships sold. 169,486
 Loyalty Loan sold. 760,737
 Bond Debt increased 2,496,762
 Duty on Tea in the Company's hands on 1st March, 1808 1,331,508
 Received from several. Composition for staying Law Proceedings . . 50,426
 L. 8,708,802

Deduct

Balance Cash, 1st March, 1808, including Tea
 Duty L 703,692
 Private Trade Goods, more paid than received 215,135
 Almshouses at Poplar - - Do. 30,322
 Repaid the Bank for Loans - - - - . 350,000
 Captains of worn-out Ships - - - - . 294,049
 1,613,198
 L 7,095,636

No. 9.

PAYMENTS in England, of the East India Company; exclusive of such as Tea Duties, Money borrowed, Payments made by Government, following Periods.

PAYMENTS.	1st March, 1798, to 1st March, 1803	1st March, 1803, to 1st March, 1808.	More latter period	Less latter period,
	<i>L.</i>	<i>L.</i>	<i>L.</i>	<i>L.</i>
Customs	1,836,148	543,588	- - -	1,292,560
Freight	7,558,465	7,563,076	4,611	—
Exports	12,405,416	149,19,825	2,514,409	—
India and China Bills . . .	7,280,303	5,245,929	- - -	2,034,374
Charges General	3,626,879	3,683,112	56,233	—
Officers Pay	228,981	636,920	407,939	—
Interest and Dividends . .	3,546,953	3,712,501	165,548	—
Captains of worn-out Ships	—	—	—	—
	36,483,145	36,304,951	3,148,740	3,326,934
				3,148,740
			<i>L.</i>	178,194

Charles Cartwright,
Accountant-General.

Account of Sales for Ten Years, from 1798-9 to 1807-8,

	1798-9	1799 50-9	1800-1	1801-2	1802-3.
CHINA.	£.	£	£	£	£.
Teas....	2,265,008	3,665,821	3,479,218	3,358,284	3,562,653
China Raw Silk ..	112,557	71,101	81,683	104,229	131,792
China Ware ..	1,012	—	—	—	—
Nankeens....	88,099	55,757	55,180	76,642	54,485
Wrought Silks....	9,673	—	—	—	4,197
Drugs.....	—	—	—	210	195
China Total.....£.	3,652,283	3,794,662	3,616,971	3,750,104	3,753,232
INDIA					
Bengal Piece Goods	1,219,818	1,056,840	1,406,879	1,179,447	660,019
Coast Do ..	1,560,170	697,193	532,706	751,727	516,041
Surat and Amjengo..	193,502	177,901	205,483	11,751	184,486
Bengal Raw Silk ..	322,877	390,119	297,647	295,410	260,219
Pepper.....	231,625	256,784	217,117	269,216	172,058
Sugar	437,545	123,869	246,560	147,191	102,151
Coffee.....	17,688	26,625	42,201	—	—
Saltpetre.....	226,742	410,928	228,230	96,380	150,596
Spices.....	172,637	368,635	241,379	222,301	192,056
Cotton Wool.....	84,686	33,653	12,495	—	—
Drugs, &c	79,704	26,979	16,989	2,307	62,978
India, Total.....£.	4,666,990	3,563,559	3,978,800	3,080,913	2,316,384
Total, India and } China.....}	8,319,273	7,360,541	7,595,181	6,836,247	6,069,636

East India House, 10th May, 1808.

(Errors excepted.)

No. 10.

distinguishing INDIA and China, and the Species of Goods from each.

1803-4.	1804-5.	1805-6.	1806-7.	1807-8.	
<i>L.</i>	<i>L.</i>	<i>L.</i>	<i>L.</i>	<i>L.</i>	CHINA.
3,484,448	3,148,540	3,620,904	3,566,048	3,795,612	Teas.
100,028	100,732	54,555	92,585	51,144	China Raw Silk.
— —	— —	— —	— —	— —	China Ware.
43,828	58,223	65,240	49,525	— —	Nankeens.
1,373	— —	— —	888	— —	Wrought Silks.
— —	— —	— —	— —	— —	Drugs.
3,629,677	3,307,495	3,740,690	3,709,046	3,846,756	China Total.
					INDIA.
672,031	438,964	620,454	498,134	260,262	Bengal Piece Goods.
419,901	449,731	529,315	186,273	136,177	Coast, ditto.
91,218	14,679	84,617	92,755	36,331	Surat and Anjengo.
292,659	409,192	219,904	192,244	268,066	Bengal Raw Silk.
223,078	141,588	121,844	38,266	76,840	Pepper.
56,879	203,059	294,704	144,506	202,487	Sugar.
37,344	— —	36,322	39,358	13,731	Coffee.
239,170	129,192	217,769	186,896	179,932	Saltpetre.
174,339	153,286	114,246	68,092	116,502	Spices.
— —	— —	— —	— —	— —	Cotton Wool.
29,757	8,335	15,724	25,550	15,837	Drugs, &c.
2,236,396	1,953,026	2,254,899	1,472,074	1,310,215	India Total.
5,866,073	5,260,521	5,995,598	5,181,120	5,156,971	Total India and China

Charles Cartwright,
Accountant-General.

Appendix, No 11.

Vendredi 13^e de May, 1808

EXAMINATION of CHARLES CARL WRIGHT, Esq. Accountant-General of the East India Company

Have you made up an Account of the supposed value of the Company's Goods un-sold in their warehouses, on the 1st of March, 1808?—I have. the amount is £7,815,305

Explain to the Committee the principles upon which you made up that account, and how you took the value of the different articles?—My principal guide in valuing these articles in which there is not a probability of material change, such as Teas, &c. is the price at which the articles sold at the preceding sale, and all the articles in this valuation have been valued upon this principle, that Piece Goods have been valued lower than the prices they sold for in the preceding years, Pepper also is in the like predicament, and, since the valuation, silk in a considerable degree has increased in price as well as pepper.

AN ACCOUNT, exhibiting the Prime Cost of the Company's Goods in Wholesale, in each year, from 1798 to 1808; together with the Prime Cost of the Company's Imports and Sales respectively in the same Period, and the Sale Value of the Goods unsold at the end of each Year

	Prime cost of the Goods in Wholesale unsold at the commencement of the Year	Prime cost of the goods imported in the year	TOTAL	Prime cost of the Goods sold in the year	Prime Cost of the Goods unsold at the end of the year	Sale Value of the Goods unsold at the end of the year.
1798-9	2,719,340	7,150,071	8,869,410	2,822,195	4,656,515	8,481,815
1799-800	3,636,315	4,600,007	7,236,322	5,772,639	3,483,883	5,788,571
1800-1	3,48,683	2,372,239	6,056,115	4,191,727	1,861,988	3,726,000
1801-2	1,384,688	1,473,599	3,379,918	2,351,376	1,986,510	4,011,078
1802-3	1,986,510	2,228,818	5,215,358	3,135,630	2,039,728	4,259,554
1803-4	2,039,728	1,927,561	3,967,289	3,242,922	2,742,867	4,764,344
1804-5	2,742,867	1,943,870	4,686,737	2,930,753	3,721,932	6,446,585
1805-6	3,721,932	2,816,242	6,538,174	3,340,916	1,197,008	7,600,012
1806-7	1,197,008	2,624,806	3,821,814	2,919,396	3,872,701	6,875,158
1807-8	3,872,701	1,137,465	5,010,166	2,852,316	1,178,440	7,815,305

(Errors excepted)

Charles Cartwright,
Accountant General.

East India House, 30th March, 1808.

Appendix, No 12

*Mardi 13^e de Mars, 1808*EXAMINATION of Mr R BROWN
I am a very large dealer in East India cotton goods.

What the consumption of East India

cotton goods in this country increased or decreased?—It has decreased very considerably.

Have East India cotton goods in this country increased in their price, or decreased?—Some few fabric, of mus-

lins have increased; but speaking generally of East India cotton goods, they are lower.

Do those articles in which the price has increased, bear a small or a large proportion to the East India Company's sale of piece goods?—A very small proportion.

When you say that the prices of certain articles have increased, do you mean relative to the late prices of those articles, or the average prices for some years back?—I mean relatively to the late prices.

Were those late prices higher or lower than the average prices?—I think I can state, that they were from 25 to 30 per cent. lower than the average prices of six or seven years past.

Has the present price of those articles, which you state to have increased, risen up to the average price?—I think it has. speaking generally of East India goods, the present price is considerably lower than the average of the last six or seven years.

To what do you ascribe the fall of the price of East India goods for the home consumption?—Certainly, to the interference of the British manufactures.

From your knowledge of the trade, are you enabled to state it as a fact, that the British manufactures have interfered materially with the sale of the East India cotton goods?—I am able to state it as a fact consistent with my own knowledge, that they have interfered, so much so, that our house have been under the necessity of keeping the British muslins within the last two years, to furnish the assortment for our own immediate connections.

Then your opinion is, as a person conversant with the trade, that the British manufactures have materially interfered, and are likely to continue to interfere, with the sale of the company's cotton goods for home consumption?—Certainly.

With regard to East India cotton goods for exportation, has it increased or diminished in a considerable degree?—It has diminished in a considerable degree.

To what causes do you attribute that diminution?—Principally to the want of intercourse with the continent, but in a material degree to the improvements made in the British manufacture of cotton goods, which now supplant the India for many purposes upon the continent, and particularly in the printing manufactories, in which East India cotton goods were formerly alone used.

Are you a large exporter of cotton

goods?—I am, but principally of India: our exportation has very considerably diminished within these few years.

Do you ascribe the diminished sale of the East India cotton goods, in any and what degree to the improvement of the manufactures upon the continent?—I think that the improved state of the cotton manufactures upon the continent, has not entirely prevented the exportation from this country, for when the duty on the continent was about 40 per cent. very large quantities were exported, and that it is only since the absolute prohibition has taken place, the cotton manufactures of the continent have greatly increased.

From what period do you date the absolute prohibition on the continent?—Between two and three years ago.

Do you think the interference of the British goods with the East India company's goods is likely to continue?—I think it is likely to continue with increased effect.

Examination of Sir ROBERT PEELE,

Barrister at Law, a Member of the Committee;

Having been examined, said, that he was of opinion with the witness, Mr. Robert Brown, that the sale of East India cotton goods has been of late years very much interfered with in Great Britain by similar fabrics manufactured at home. He begged leave to state in addition, that though the prices of labour and the raw material are much lower in the East Indies than in this country, yet these advantages are more than counterbalanced by the following circumstances. The invention of ingenious machinery by British subjects has very much lessened and assisted human labour, and, what is perhaps of more importance, the manufacture is established in the seat of consumption, and the home trader is enabled with facility to supply the demand, and to accommodate himself to the changes that so frequently take place in fancy articles, that the British cotton goods must likewise have very much interfered with the sale of East India cotton goods on the continent of Europe, from the causes above stated, and lately these markets have been lost by the hostility of France, that he deemed it incumbent on him to state, that in consequence of the cotton manufactures on the continent of Europe being established on British improvements, he apprehends that a return of peace would not restore to the East India company their accustomed demand to that part of the globe for cotton goods.

ASIATIC ANNUAL REGISTER, 1808.

Appendix, No. 13.

An ACCOUNT of BILLS of EXCHANGE paid by the East India Company, from 1st March, 1798, to 1st March, 1803

	CHINA.	INDIA DEBT	Indian Debt, Old Registered Debt
	<i>L s d</i>	<i>L s d</i>	<i>L s d</i>
From 1st March 1798, to do 1799	439,071 3 10	204,715 12 11	432,895 2 5
1799 to - 1800	851,426 19 1	350,032 17 3	621,744 19 3
1800, to - 1801	635,216 11 1	370,532 8 1	796,516 6 5
1801, to - 1802	475,728 15 --	610,470 16 1	475,590 6 1
1802, to - 1803	395,940 11 4	500,183 6 2	166,445 17 9
<i>L</i>	2,776,764 1	1,385,935 --	6,216,192 11 11

TOTALS

	<i>L s d</i>
1798 to 1799 -	1,117,661 19 2
1799 to 1800 -	1,333,903 15 7
1800 to 1801 -	1,329,265 5 7
1801 to 1802 -	1,791,789 18 2
1802 to 1803 -	1,064,659 15 3
<i>L</i>	7,447,291 13 9

MEMORANDUM:

The total amount of Bills of Exchange paid as stated in this account, will not agree with the amount of Bills of Exchange paid, as stated in the Receipts and Payments; the amount of Bills received, drawn in favour of the company, being deducted in the latter account:

East India House
the 9th May, 1803

(Errors excepted)

Chas. Cartwright,
Accountant-General.

Appendix, No. 14.

An ACCOUNT of BILLS of EXCHANGE paid by the East India Company, from 1st March, 1803, to 1st March, 1808

	CHINA	INDIA DEBT	Indian Debt, on the register.
	<i>L s d</i>	<i>L s d</i>	<i>L s d</i>
1st March 1803, to do 1804	250,626 18 10	617,156 6 1	89,996 18 7
1804, - - 1805	513,149 16	487,307 5 1	19,986 12 2
1805, - - 1806	412,846 18 1	600,826 6 10	16,512 12 3
1806, - - 1807	61,594 16 8	528,338 4 6	50,223 19 5
1807, - - 1808	782,252 12 6	287,779 17 3	3,167 17 4
<i>L</i>	2,656,911 2 4	2,107,247 19 9	179,887 19 9

1803 to 1804 -	977,780 3 6
1804 to 1805 -	1,016,415 13 6
1805 to 1806 -	1,066,285 17 2
1806 to 1807 -	1,212,577 -- 7
1807 to 1808 -	1,376,680 7 1
<i>L</i>	5,994,047 1 10

MEMORANDUM

The total amount of Bills of Exchange paid, as stated in this account, will not agree with the amount of Bills of Exchange paid, as stated in the Receipts and Payments; the amount of Bills received, drawn in favour of the company, being deducted in the latter account.

East India House,
9th May, 1808.

(Errors excepted)

Chas. Cartwright,
Accountant-General.

Appendix, No. 15.

In an estimate of stock at China to the end of the season, say March, 1808, made up and transmitted to China in the month of February last, a balance was calculated to remain there, of tales 2,755,505,* after provision made for the cost of the cargoes to be shipped for Europe, to arrive in England in 1808-9, for all the contingent expenses of the factory, and for a remittance to Bengal, of 600,000 tales, without estimating any Bills of Exchange to be drawn upon the Court; and the Bengal Government, per their separate finance letter to the Court of the 14th September, 1807, state their having requested the *supracargoes* at Canton, in a letter dated August, 1807, to receive no more cash for Bills of Exchange upon the Court, except what might be tendered by the commanders and officers of the company's ships, in part of their privilege. Under these circumstances, from an ample provision of funds on the one hand, and from the request of the Bengal government on the other, it is presumed that a debt of £100,000, for Bills of Exchange from China, as inserted in the account of debit and credits of the East India company, as they will stand on the 1st March, 1809, will be fully equal to the sum that may be then owing. The Court's letter to Canton of the 26th February, 1808, directs that no Bills are to be drawn on the Court, while a favourable exchange offers on the several presidencies in India.

* Value in sterling money, 918,501 18s. 4d
 East India House, Chas Cartwright,
 13th May, 1808 Accountant-General.

Appendix, No. 16.

ABSTRACT ACCOUNT of the sums paid in England, for Charges General, in the under-mentioned Years, under the following heads.

	1805-6	1806-7	1807-8.
	<i>L</i>	<i>L.</i>	<i>L.</i>
Political Charges - - - -	250,492	172,131	205,926
Commercial Charges - - - -	585,628	376,090	471,045
Articles for which a value remains - -	51,517	63,868	58,426
Articles usually classed with Charges of Merchandise, which do not properly belong to that head	12,662	12,064	†66,931
<i>L</i>	700,299	623,653	801,428

East India House,
 30th March, 1808

(Errors Excepted)
 Chas Cartwright,
 Accountant-General.

* Paid for *Supracargoes* Commission, the greater part of two years commission, for stamps on new bonds issued, and property tax on the interest of bonds.

† This amount contains two years interest on the bank loan.

Appendix,

*An ESTIMATE of the DEBTS and CREDITS of the East India
on the 1st March, 1809.*

	<i>L.</i>
To Balance of Cash deficient on 1st March, 1809	876,700
To Bonds bearing Interest	4,900,000
To Do not bearing Interest	15,517
To Bills of Exchange unpaid from China	100,000
To - Do. - - - India	800,000
To Customs on Goods sold and unsold	143,000
To the Bank for a Loan, on Mortgage of the Annuities that may be sold per Act of 1788	700,000
To - Do - for a Loan on Bond	100,000
To - Do. - for Interest on the above Loans	10,667
To Freight and Demurrage	180,000
To Supracargoes Commission on all Goods sold and unsold	90,000
To Proprietors of Private Trade, on all Goods sold	—
To Almshouses at Poplar	66,000
To what owing in the Department of the Committee of Shipping, exclusive of Exports	120,000
To what owing for Exports of former Seasons	40,000
To what owing to the Warehouse Contingent Fund	12,000
To Warrants passed the Court, unpaid	40,000
To what owing for Tea returned by the Buyers, and resold	971
To Interest on Bonds	73,000
To Dividends on Stock	66,000
	<u>L8,333,855</u>
Balance in favour of the Company, in England, on the 1st March, 1809, after Payment of all the Debts in Eng- land	2,819,587
	<u><u>L11,153,442</u></u>

No. 17.

Company in England, exclusive of their capital stock, as they will stand

	L.
By what due from Government to the Company....	1,500,000
By the Amount of Goods sold, not paid for...	265,000
By the Honourable Board of Ordnance, for Saltpetre delivered . . .	75,000
By the Value of Goods in England unsold.	8,379,000
By the Value of Ships, Sloops, and Vessels, exclusive of those stationed Abroad }	102,500
By the Value of the East India House, and Warehouses.....	*1,100,000
By what owing from sundry persons, returned from India, and in India, to be repaid in England..... }	31,942
	<hr/> £11 153 4 2

* An addition is made to the Value of the East India House and Warehouses by reason of the sum of £27,000, which will be expended for buildings in the course of this year, which is included in the estimate of receipts and disbursements to the 1st March, 1809

The estimated Value of Goods expected to be received from India and China, in the year 1809-10, is £5,271,000, to purchase which large payments have been, and will be, made in England previous to the 1st March, 1809. It is taken at the same amount as the preceding year, having no information from which a new estimate might be made.

Of the sum of £2,460,000, claimed to be due to the company by the public on the 1st March, 1808, only £1,500,000 is computed to be paid

Appendix, No. 18.

An ACCOUNT, shewing the amount of the PAYMENTS made in England, previous to the 1st March, 1808, and the amount estimated to be paid before 1st March, 1809, on account of cargoes to arrive after the latter period

	L.
Exports paid for on 1st March, 1808....	1,477,477
Impress advance for Freight on Ships to arrive after 1st March, 1809	75,000
Exports paid and estimated to be paid between 1st March, 1808, and 1st March, 1809..... }	1,994,959
	<hr/> £3,547,436

East India House,
13th May, 1808.

(Errors Excepted)
Glas. Cartwright,
Accountant-General.

Appendix.

*An ESTIMATE of the DEBTS and CREDITS of the East India
1st March, 1809; together with an estimate of the value of goods expected*

	L.
To Balance of Cash deficient on 1st March, 1809	876,700
To Bonds bearing Interest	4,900,000
To - Do. not bearing Interest	15,517
To Bills of Exchange unpaid from China	100,000
To - Do. - - India	800,000
To Customs on Goods sold and unsold	143,000
To the Bank, for a Loan on Mortgage of the Annuities that may be sold per act of 1788	700,000
To - Do. for a Loan on Bond	100,000
To - Do. for Interest on the above Loan	10,667
To Freight and Demurrage	180,000
To Supracargoes Commission on all Goods sold and unsold	90,000
To Almshouses at Poplar	66,000
To what owing in the Department of the Committee of Shipping, exclusive of Exports	120,000
To - Do. for Exports of former Seasons	40,000
To - Do. to the Warehouse Contingent Fund	12,000
To Warrants passed the Court, unpaid	40,000
To what owing for Teas returned by the Buyers, and re-sold	971
To Interest on Bonds	73,000
To Dividends on Stock	66,000
	<hr/> 8,333,855
Balance in favour, after Payment of all Debts in England	3,779,587
	<hr/> 12,113,442
	<hr/>
To Balance	L9,050,587
	<hr/>

East India House,
the 13th May, 1808.

(Errors Excepted)
Gbar Cartwright,
Accountant-General.

No 19.

Company in England, exclusive of their Capital Stock, as they will stand to be received from India and China, in the course of the year 1809-10.

	<i>L.</i>
By what due from Government to the Company.	1,200,000
By the amount of goods sold, not paid for	265,000
By the honourable Board of Ordnance, for Saltpetre delivered	75,000
By the value of goods in England unsold	2,379,000
By the value of ships, sloops, and vessels, exclusive of those stationed abroad	102,500
By the value of the East India House and Warehouses	*1,100,000
By what owing from Government for Stores and Supplies to	
His Majesty's Troops, on 1st March, 1808.	2,460,000 } 960,000
Estimated to be received from Government	1,500,000 }
By what owing from sundry persons returned from India, and in } India, to be repaid in England.	91,942 }
	<hr/> 12,118,442

Balance in favour as per contra. 3,779,587
 Add, The estimated value of goods expected to be received from India and China, in the year 1809-10.

+5,271,000

£9,050,287

* An Addition is made to the value of the East India House and Warehouses by reason of the sum of 27,600l which will be expended to Buildings in the course of this year, which is included in the estimate of receipts and disbursements to the 1st March, 1809

† The goods expected to arrive in 1809-10 are taken at the same amount as the preceding year, having no information from which a new estimate might be made; the net produce of which, after the payment of all duties, &c in England, will be 3,660,360, and the amount of payments made in England, and estimated to be made to 1st March, 1809, for cargoes to arrive in England after that period, is 3,547,436l.

Appendix, No. 20,

Jovis, 19 die Maij, 1808.

EXAMINATION of SAMUEL PEPYS COCKERELL, Esq.

You are Surveyor of the East India Company?—I am.

Have you surveyed the East India House and the Warehouses for the purpose of affixing a value on them?—I have not critically surveyed the whole of them, but I have a general knowledge of them, and have the plans and dimensions of each.

At the end of last year you put a value of 1,072,400l upon the East India House, the Warehouses, and other Buildings belonging to the East India Company; how came you to affix that value?—In the year 1807 I followed the valuation that had been made by Mr. Holland, my predecessor in the Company's service, adding to it the sums that had been laid out in purchases and new buildings in the current year. I have since compared that value with the Company's warehouses and other buildings in different parts, and find it so near to my own judgment of it, that I again took the same rule in the year 1808, upon which the return of 1,072,400l was made.

Supposing that you were placed between two parties, to say what one should pay, and the other receive, as the value of the buildings in question, what would be the sum that you would place it at?—The sum I have mentioned in my return.

MISCELLANEOUS TRACTS.

SOME PARTICULARS of the SECRET HISTORY of TANJORE,* the CARNATIC, and the Presidency of FORT ST. GEORGE, from a DIARY kept by a distinguished Resident at the Court of the RAJAH.

January 7th, 1782

LEFT Trichinopoly about four in the morning. For the first two hours the way was through water. About four miles before we reached the Anicut,† I was met by the head people of the country. I stopped a moment to receive and pay compliments to them, and stand an hour at the Anicut, which Hyder broke down in two places, so that the bed of the river was perfectly empty, and we made our journey through it, as the high road.

The villages, through which we passed, were all literally burnt,—the people fled,—and the land untilled. About six miles beyond

the Anicut, I found, at last, a temporary Pandal‡ raised for my reception. The headmen renewed their civilities, and brought us milk and fruit, and sheep and fowls. We made a pleasant repast. A lady being of the party, a little chamber was at once separated off for her dressing.

The country, over which we travelled, after dinner, was, if possible, more miserable than the spectacle we beheld in the morning, and this continued almost to the walls of Tanjore.

For the last hour or two the road led pleasantly through a noble avenue of Banyan trees. This kind of avenue, at once most plea-

* The English reader may, perchance, be amused by the daily notes and lucubrations of the writer of this original and curious production, though the events mentioned in it may neither have novelty nor interest enough about them to please or recommend themselves to another description of readers. The intrigues of an Eastern Durbār, at this early period of Anglo-Asiatic intercourse appear, like the tribes or casts of India, to have partaken of a common family-feature, so that in the general uniformity little curiosity is excited towards any individual or single occurrence.—"All like one another as halfpence are, every one fault seeming monstrous, till his fellow fault came to match it." SHAKESPEARE.

† Anicut, or rather Anacut, is a dam to stop or divert a stream from its course, for the purpose of irrigation. This particular, and noble effort of art, was made at an incalculable expense. It is a stupendous work of masonry, on which the labour of thousands was exhausted for years. It serves to turn a branch of the Coleroon, a wide and rapid river, from its natural bed, by a forced channel, into the Tanjore country. Three lacs of pagodas, or 120,000 sterling, were expended in repairing the injuries here described.

‡ A shed or building for occasional use, constructed of perishable materials, hastily and rudely put together. It is generally made with a few bamboos, and dry branches of the cocoa-nut or Palmira tree.

san

sant and useful to the traveller, as well as magnificent in itself, seems to be of the good practices of this southern part of the country: for we found it in the kingdom of Travancore, and whenever we could keep the high road we saw at least the intention throughout our whole journey to this place.

Just before sunset we passed the little river near Tanjore, where I was met by the principal personage, from the palace. I alighted—then compliments were.

"The rajah is in affliction for the distress and ruin of his country: he is in sorrow and grief for the loss of his daughter, you are come to his country, his tears are dried, and his heart is full of joy." I returned to my dooley, and they accompanied me to a house, destined for me.

It is in truth a strange place! When I got into it, the congratulations were renewed; the floor was spread with fruits, and a vast flood of compliments flowed from them. "I am not to complain of the bad house I am put into, for it was thought for certain that general M—— would have left this before my arrival, and the rajah had destined his house, the best in the place, for me."

As soon as my palace complimentors were retired, I was going to the general, when I received a messenger from him, whose first word to me was, in enquiry after the uncle and nephew, Richard. I almost accepted this superstitiously as a good omen. He brought me an invitation from the general, whom I immediately waited upon. Nothing could be more obliging than his reception of me. I at-

tended him to Colonel B——'s, where we were all to sup.

Wednesday, January 8th.—We had left Trichinopoly a day sooner than we intended at the request of the general, through me, for the party to dine with him to-day, which was to be his last delay here. I breakfasted, by appointment, with him, and had a long and intimate conversation with him of real confidence. I was already fully apprised of his very disinterested friendship to the rajah. He ran through it fairly without exaggeration. In three instances he had, indeed, served him essentially.

With all the goodness of the general towards the rajah, the reports that disparage that poor man, are not without their weight with him. I suppose they are so incessantly din'd into his ears, that in spite of his good-nature, and the folly of the stories, the repetition of them forces them into a degree of credit. Even with the destruction of the Anicut, and the devastation of his country, there are reports of Hyder's having come by his advice, and of his sending to the Mahrattas. Indeed the same things are said of the nabob.

* I had, too, a free communication with Colonel B—— who has, as far as I can judge now, been a pretty uniform friend to the rajah; though lately their intercourse has met, if not an actual interruption, yet something of the sort. He was employed, it seems, in the second siege in 1773. I do not learn whether any application to him, from the rajah, had drawn his attention. It suffices for the history, that he engaged Mr. W.

* I judged very hastily from the colonel's own story.—Note to the DIARY.

(I think

(I think that is the name) to join him in a strong remonstrance to general S— against surrendering the place to the Ameer,* who was then come to the army. These two officers so worked upon their general's apprehensions of the ill consequences to himself, that might attend the giving up such a place to the disposal of the nabob, that general S— expressed at length his assent and coincidence in their opinions. He positively promised them that no step should be taken but with their concurrence, and that B— should certainly have orders to take possession of the place for the company. To his infinite surprise, however, he received before day-light a peremptory command to give up his post to the Ameer, and next day he was ordered with his party to a separate command. Soon after this B— got leave of absence and went to Madras.

The government at this time, was much under the guidance or fear of B— and I—. The former alarmed the governor on the danger of the measure he had adopted, in invading Tanjore, and convinced him that the surrender of it to the nabob would not be approved at home.

I do not learn the principle on which B— was at this time adverse to the nabob. But he strenuously dissuaded the measure of giving up Tanjore to him. Mr M— however, (a gentleman now in high office) was all-powerful at the Durbar, and the nabob actually was induced to make a formal grant of the independent possession of the late conquest to the Ameer.

This added to the governor's

apprehension, and if he could have persuaded the nabob to have surrendered it, he would now have been glad to have put the company's troops into possession of Tanjore. He was not persuasive enough to incline the nabob to surrender his prey. Means, however, were found to alarm the nabob's jealousy of his darling Ameer, at the very moment when his fondness had reached its achme.

In spite of the apprehensions that seem to have disturbed the presidency, the Ameer set out to take possession of his new grant of an independent kingdom; M— accompanying it with a "Let me see, who will dare to stop you going, by your father's orders, through your father's independent territory?" Whatever threats or surmises at the presidency might have driven M— to his "who dare!" it seems to have had its effect, for the presidency did not presume to impede the Ameer's journey. But his father's jealousy was awake, and gave that check, which the presidency did not venture upon, to this young man's ambition. On his road to his new kingdom he was overtaken by a positive order from his father, that he should not presume to enter into actual possession, title, rank, pre-eminence—all that kind of indulgence that pride finds in a title, was continued, but he was by no means to set his foot within the walls of his promised capital. On his arrival there he found his father's orders, to the commanding officer at Tanjore, had outran him. In consequence of which he was obliged to live without the walls, all the time he staid in the country. In

* The second son of Mahomed Ally, or Wallajah, nabob of Arcot.

all other respects he acted as a sovereign.

I understand from Padie S—— that he affected the utmost esteem and veneration for the Pagodas, and every thing that related to Pagan worship. Poor S—— was shocked at something like zeal that he shewed in favour of the Gentoo rites.

When the party at the presidency found they could not persuade the nabob to yield up his own pretensions, they betook themselves to defeat the views of the Ameer, by representing the danger of placing the Fort in his hands. They hoped, it would not be difficult, at a more fortunate juncture, to take it, either by stratagem or force, from the nabob himself.

Whatever may be the motives of a change in B——'s conduct, he joined W—— and I—— and others in a bond of indemnification to col B—— in case he should lose his commission; and, at all events, he was to have his pay and batta* during his absence.

Upon these terms he was sent off for Europe, to controvert, at the board of directors, the justice, propriety, &c. &c. of the conquest of Tanjore.

R—— was in the chair the col. was summoned to attend the board. The secretary, upon his obeying the summons, came out to him from the board, to know his business. He came by order, and waited their pleasure, but

they understood that he had something to lay before them. If he meant so to do, he should have applied for an audience. Some time passed in discussion, whether he should be appellant or respondent. At length, however he was called in to the committee of correspondence. The chairman said they understood that he had something to communicate, and the like discussion was renewed in the cabinet, that had been recently maintained without doors. He was steady---and the chairman at length was obliged to commence with observing, that he understood there was a foolish matter of dispute at the presidency of Madras, relative to the propriety of taking Tanjore. The col. took up the word *foolish*, and began to descant on the seriousness of the business. M—— and others seemed inclined to a close examination, and to bring out all the col. wished to say, when it grew late, and the chairman dismissed the sitting to some other time. He heard no more of the directors.

L—— S—— had been the colonel's old friend---He sent for the colonel, with a deal of shrug and grimace he told him, "My dear friend, you know I have a regard for you, I'll speak freely. We are alone; "You are all in the wrong box!" I am out of affairs, and have no concern in the matter, I speak only for your own interest. By G---, you are in the wrong box,

This precedent seems to have been acted upon in times nearer our own, when the secretary of government, and other official characters, appear to have been dispatched from Madras to England for the purpose of explanation, and though the ordinary cares of their offices have ceased, they still perform the most troublesome duties of attending, at the proper intervals and places, to receive the periodical payments of their salaries. Enough has been said in other places, of the inconvenience of *double* governments, but as yet we have heard but little, abroad or at home, of the burthen of *double* payments. Shall we talk of the poverty of the E. I. Company?

my friend I am so out of things, that people are not afraid to speak their minds to me, and I can tell you, as a friend, that they are resolved to support the nabob at all events. You kick against the Pucks, and will do yourself no good in this business. By G—, it is time you should think of your own interests, and not run your head against the wall for other people. Your friend R—d dines here to-day, stay here, and we'll talk it all over and see what can be done for you, which is more to the purpose, than a wild goose chase about rajahs and nabobs." The colonel would not be of the dining party, and so that negotiation ended. He had some access to lord N— and thinks that R—s—n was much inclined to take up the rajah.

M—n was come home, and Lord N— would not (as he says) see him. His story is, that ministers were embarrassed in the Bengal disputes, where C—g and M—n had threatened to resign, unless Hastings was removed. And Hastings having the interior support, made that impossible. They were at a loss what to do, when M—n, as the colonel has it, wrote to Lord N—, begging one moment's interview, and undertaking that in three minutes he would convince his lordship that it was in his power to settle the Bengal disputes. His plan was the *resignation of Hastings*, which all the world has heard of and stared at. From that moment the colonel says, the tone was changed with Lord N— and R—, his endeavours were all in vain; so he recovered promotion, and returned, *re infectâ*, to India.

I, and the whole travelling party, dined with the general. In the morning's conference he had expatiated at large upon the public

distress. He told me, that in a moment, when he could not otherwise have proceeded, he had drawn on the presidency for 12,000 pagodas, (4,800l.) promising, very solemnly, that if that bill was honoured he would, though he sold his army for it, replace it. That this bill had been drawn in the very teeth of Lord M—n, who, in answer to all his urgent calls for money, had coolly told him, "you have an army in the country, that is the richest in grain and treasure of all the East, and you must provide yourself with pay and provision for your army."

That, nevertheless, he had not, though thus invited, called on the country either for provision or money, and that, for himself, he had never touched the rajah's gold. And yet, though he had told the rajah that he considered this 12,000 pagodas a pawn upon his honour, the R would not advance a penny, though he was sure, &c &c &c that he had got in his whole share of the last crop, and was in no difficulty. I did not so fully give credit to the rajah's having no actual distress upon him as the general did, but I saw that there would be people enough coolly to catch hold of his idea, which the general perhaps uttered not without passion. I felt that the opinion would hurt the rajah. I felt too, that the rajah owed something to the general. I perceived plainly that the latter wished to gain my weight with the rajah to get this money for him. First, and principally, I wished to oblige the general. Next, I knew, from the mutiny I had two days before seen at Trichinopoly, and what I heard of the disposition, from distress, of the army here, that the advice of warm and sanguine, if not *sanguinary*,

nary, counsellors, that there might possibly be a seizure of the rajah's grain, and, with the grain, the general's friendship would be lost, when once he should be induced to be the ravager of the country so that I wished these 12,000, pagodas could be had. But the rajah had peremptorily refused the general, even after threats. I felt that if by my advice, money could be had from the rajah for the company, it would be conclusive to the dirty mouths that would be belching out abuse against me, as one who was to make the rajah refractory. If I did succeed in this, it was making myself a sort of shield to fight under, on future occasions, against unreasonable demands: but I saw, too, that if the professions I had got from the palace, (of their considering myself their only friend, and what not) were sincere, they might be founded solely on the idea, that I was to save them from all payment, and of course that I might sap the very ground under me, if I opened my negotiation with a persuasion to pay money that the rajah had actually refused. What was to be done?—The General had taken a good deal of time to tell me his griefs, so that it had not been necessary for me much to interrupt my own thoughts by talking, and I had found time to decide against little fears, and resolved to take a line that a little tried my weight at the palace, which might, perhaps, serve me there on account of its singularity, and which, if I succeeded in it, established a sort of character of temper, and moderation, and such stuff!

I offered my service to the general, by no means promising success, and shewing that it might ruin me with the rajah, &c. &c.

January 10th.—The next day, having obtained a private audience, I laid the General's request before the rajah, with apologies, that I thought fitted my situation. The old story of distress (too well founded) was told to me, as it had been to the General, and "I cannot" was the decision.

I have never seen that you persuade any man by the fair and straight road, it is always some collateral line that leads to the heart! I agreed totally with the Rajah, that, in his distress, it was unreasonable to expect money, and that he did right not to give it.

The RAJAH smiled.

RAJAH—"why do you come to advise it?"

W. B.—"Permit me, Sir, to ask you, has this man received any present from you?"

The RAJAH---was fair, and in a hurry to do the general justice.

W. B.—"Pray, Sir, do you ever let any great man go away without a present, to engage his good will and friendship?"

The Rajah made a little speech to justify what he had done, on such occasions, as from necessity.

W. B.—"Is 12,000 Pagodas too much for a man of the General's rank to expect on going home?"

RAJAH---"no it was not. And if the general wanted money,—somehow, but he did not know how,—it must be found for him."

I then told him that was just my notion of the affair. This was a great man,---he was going to Madras,—and thence to Europe, and the rajah must know the value of his good word in both places. That it would cost him 12,000 pagodas, but that he was to have credit for the bribe in his account with the company. He was not displeased. We had no controversy; and when

supper

supper was half over at the general's, I was a welcome guest to him and all his table. I was told a deal of fine things, of how happy it was that such a man had weight, &c. &c. &c.

I don't tell you that I thought it necessary to tell my friends the principle I argued upon to get what they wanted. They *had* it, and that was enough. The money was paid in two days. I think the general will talk big upon it at Madras. Perhaps my friends at home will make some use of it.

When I came home at night, I found the officer waiting from the rajah, to know when I should be waited upon with the present,—that is always the consequence of an English gentleman's visit. The present, value about 30*l* was not worth refusing, but I felt that a *groat* benefit was abominable, from a professed intention to serve the general. The discussion between the rajah and me, by messengers, almost took up the night. He imagined I refused it, because he had not himself put on the collar,† but he explained that he was in a state of what he called impurity, from the death of his daughter, and that he could not touch nor approach me well. He insisted on their customs, I, on our proprieties. I valued myself that I had secured a friend to him, without a bribe, and that was a noble present to me. At the same time I took great care that he should not imagine that I had any general objections to presents.

14th January.—The general left us two days after, and I, with

several others, accompanied him to ———.

We returned at night, and now I set about calling for the payment of bills I had drawn from England. I heard of distress, but I did not seem to hear of any difficulty about my salary, but the illness of *Lutchanah*‡ kept all things in suspense.

My house is utterly uninhabitable, having, indeed, but one room in it for C— and myself. They had put up a bed for me, but he slept on a couch.

They had meant the general's house for me, and I was highly pleased, but at the first night's supper I found, that my having it would necessitate a quarrel. It was, indeed, a place which the rajah had lent to a quondam paymaster, but said paymaster had rebuilt a great part of it, and his executors insisted on payment of his disbursements, before they would surrender it. Before I went to bed, I decided against having any thing to do with that house. In the morning I acquainted the rajah with my decision, but desired the remainder of the house I was in, which was inhabited by Manajee's family. I got possession in four days, and I am full of carpenters and bucklayers.

19th—God be praised! God be praised! I once more see the letters of my dear friends. Ah me! what a date! But, thank God! I know they were all well later than these letters carry. The receipt of them overpowered me. I know not what variety of terrors filled my soul.

* Oh this delicacy, this delicacy! Let us pray that it may not forsake him in his slippery walk!

† The present on these occasions, is generally a splendid dress and a string of pearls which is placed round the neck. It is mentioned here as a collar.

‡ The prime Minister.

soul at the sight of their writing! I ever wept more bitterly in my night, and yet I cannot say I felt apprehensions for their health or peace, but such a variety of thoughts burst upon me, I could not stand it. I read without understanding, again and again I read, but my ever dear Richard's story, of patience brought me to myself. Oh, my God, give to me the occasion of that virtue! The memory and thought of those I love will oblige me to endure and bear all things.

20th January—M——— and all the world, warn me of the perfidy and treachery of our palace.

Hitherto they are civil, and full, perhaps too full, of professions, but nothing decisive or distinct has at all passed, even of my services. It seems rather a general notion that I have been useful, than any distinct sense of the particular benefit they have received from me.

Butchanah's state of health leaves indeed our things at a stand, but I don't entertain any great expectation of the style of compensation he may think suited to my services. In this state I do not resist the sort of amusement brick and mortar offers.

I have pulled down twenty walls, and opened as many windows, and in the end, if the rajah does not grow weary, I shall have an excellent habitation.

I was desired to give in a list of the furniture I should want. Having done so, they sent me 500 pagodas to furnish myself. It will hardly buy plate.

23th.—Returning to-day from dining with Paymaster T——r, I met the news of Butchanah's death. I made my palanquin go by Mr. S———'s. I found him more on the high horse than ever

I had seen him. "He had no instructions! He must act for the best on his own judgment! A wrong man must not be suffered to be minister!" I represented, that me, and I, and every one, would wish a right choice; but that it was a choice of the rajah's own. He said, he could assure me, that the Madras politicians were to appoint a minister. I said, Madras politics might be as mad as they pleased, but they transgressed if they attempted a violence on the internal government, and, though I wished to go quietly on, this was just the point in which I would avow advising the rajah. He softened his tone, and I relaxed mine, and readily admitted, that he could only mean to act by advice, or counsel.

When I came home I wrote a line to the rajah, lamenting his loss, advising a speedy nomination of the successor, praying God to direct his choice, but that I would, at all events, defend the choice he should make.

He sent me word at once, that mine was a manner no one had dealt with him in, that he was highly sensible of my goodness, and in confidence told me, that Gopaul Row, nephew to the former, was his choice. Gopaul Row, the next day, sent his thanks, &c. &c. &c.

Gopaul Row's ceremony on Butchanah's death, will take up twelve days. The ship will leave Madras next month.

25th.—I got a letter from the presidency, in answer to mine from Anyanga. It is, what it ought to be, —one from L. M. as cold as charity, at the same time a precaution through S——n by R. that my zeal must not oppose his administration, which is to be what not. In his
own

own he talks to me of his integrity All these things call for temper I thank God, my mind is pretty well composed My answer to L M must not be hot, neither must it imply that I am subjugated by his unmanly unkindness Day and night I am pressing the English soucar bills and make no progress.

At length the rajah seems to say he will manage it, but nothing passes that has the look of bottom or foundation Yet the repairs of my house, and a wonderful fine palanquin, make men tell me, that no European ever was so received. He has offered me a horse but I declined it, till my business was settled about the Europe bills *

I have, however, taken 500 pagodas for my living, I receive it as the month's batta, detached from my salary, 20,000 pagodas annually I am told, sometimes, that they agree to the salary, and only want time to pay it I only press for so much as will pay the bills, and gladly give time for the remainder,—then all is off, and runs in general. This, perhaps, is in the nature of negotiation, especially with them Sometimes I do not sleep, but I must not think too much, nor be driven mad God forgive me!

The success at Tellicherry gave me the occasion to write to L M I have said more than I meant to say, less than I ought as a man, but, perhaps, too much for a man in my situation Why I should be surprised at L M I cannot tell, for I never knew any good of the man, but it has wounded me If I write home—why *if*? I must write, I will send copies of several papers, that shall make out a short history

S — — — has been jockeyed by his brother, and betrayed by his friend H — — But he shews no discontent. He is, however, a prosperous man and true, and possibly his double station here, is better than his intended one at the Nizam's court

I have seen the rajah but once since I went to him on the general's business On conversation was loose He seemed desirous that I should know the real state of his affairs But Butchman's illness at first, and his subsequent death, are pleas for Gopaul Row's doing nothing as yet They have, however, sent me two letters from L M

The one on the presents is the very worst I ever read The other is in Mehiatta, and has no English translation with it I picked up the sense of it from my dabshi, who I made give me, as well as he could, an English for every Mehiatta word. I am inclined to think, that the English translation, or rather original, was omitted, to make it difficult for me to consult The council I give terms to please hugely, but it does not forward my business I thought I had settled my batta, i.e. house expenses, at 500 pagodas per month, and 100 ^{per} ^{month} C

February 1st — Every day expecting to be called, I was sure of seeing the rajah to-night, and got a present of fruit which comes often, and an excuse which comes often too

February 2nd — To day I find the salary in a bad state indeed An offer of batta of 100 pagodas per month, and 100 ^{per} ^{month} C

* From another part of the Journal, it appears that the bills in question were drawn by the warrior in London in favour of a bar king house

† Considering the great mortality and moderation of the war, and that this is as it were but his novice in eastern Warfare, the English reader may think but he has fared not very indifferently in the space of three weeks. L M received five hundred pagodas for furniture, 200 more for his batta, a wonderful fine palanquin, a professed horse; and, to use his own words, and expressive style, a number of *ke de de*

mensem, and no one word of C——. All hopes of my bills—1000, or 2000 advance on account of salary—all, all unrealised! this is the first act of Gopaul Row's. And at this very moment, they send me the honour of a guard at my door: as to C——, they take no notice of him at all.

In this state what is it possible for me to say to those I love, and what must they think of me? They will not surely think vilely? The style of dealing here is calculated to make a man run mad,* but a man must not run mad. They talk of patience, and it is needful, but passion too has its force, and a natural agitation—downright violence and threat* ad absurdum, are a machine too.

3. They submit to C——'s salary 100 St Pagodas. They had put it 50 portu novos. My batta they let go to 200. And they talk of 1000, or 2000, on account of my salary. I am fierce—the dubash is frightened, and I suspect they will be so too.

4. Though they came up to C——'s 100 St Pagodas they dispute the time of the commencement of salary.

5. I shew that we had a right to many months salary before our arrival, and I am peremptory not to accept the 500 portu novos, I got a few days after my arrival, as any thing, but the house expence, or Batta of January.

6. The dubash is urgent that I should accept of 400 portu novos per month; and C——'s 100 stars are agreed to, and I have surrendered.

7.—But I do not get them, as I expected, to-day. Mr. B——, a lieutenant, is to be buried, and I attend the ceremony --- I am told

the Rajah will send for me to-night and I am told so often.

An affecting incident occurred at the funeral --- When the ceremony was over, my curiosity led me, and, in no high spirits, to view the three or four scattered tombstones. The first I attended to expressed that it was in memory of two infants, a brother and sister: the simplicity of the information had attracted my attention, when our commandant, major A——, tapped me on the shoulder, saying--- "These were my children!" and burst into tears. He is a man of no affectation, and he got some way into my heart.

8. On coming home, I had a message from the Rajah to attend him. It was past nine before he received us. He was visibly not well, and made that his apology for not having had more communication with me, however he was willing to go a little into business.

I began with saying, that it was at all times awkward and a distasteful thing to speak of one's self, and I hoped his, &c &c. would make it needless for me ever to press him on that head. Both he and his minister seemed glad to take me at my word, and ran into a gibberish of distress and I know not what.

I told them, I feared we were going into too wide a field for business.

They were ready enough to come back.

I had imagined that they had made two payments of the deposit, it is but one. I had considered that Lord M. had written a private as well as public letter on the presents.

They paid no attention to the business

* This game at Bragg seems to have succeeded.

ness of the presents,---in truth no company's servant means to press it.

On this I told them the money loss was not to be the principle of their complaint. It was the disrespect shewn to his servant the Vakeel. I thought he had been actually imprisoned --it seems Sir T----- only threatened him

They felt a propriety of taking up this matter, and in terms of the highest respect left their answer entirely to my discretion

They seemed to give as little attention to the other letter, calling for assistance without limit, and stimulating the Rajah not to be out-done by any other ---It is an opening for an express assignment of his country, as the nabob has done---though the nabob is not mentioned

They don't see the design, and before it is brought to a head, by an express exaction of such and such a concession, it will tally with their politics to deal in generalities, and, meaning nothing, to amuse themselves with the whim, that the other party too have no meaning

As far as surrendering to me the total trouble of correspondence, they are very sincere in their proposition of writing, just to a tittle, whatever I please

Having first established my idea of what became his dignity, and answered his interest as to the present, I pressed, and they seemed to understand, that as to the question of assisting the company, they should, in a conversation with the resident, speak highly, and value themselves on having endeavoured, on the first rumour of war, to prevent the company's distress by an advance, but which had been

strangely called a deposit. I warned them to use the term *advance*! This I again and again advised them to press home

Next they should demand an allowance for the repairs of the Anacutt.

They were afraid of a proposal from the company to offer to repair.

I explained, that the repair must not be allowed to be done by the English, he must do it, and call for an abatement for the expense of it. Afterwards he must demand an account of the disbursement.

They were afraid

I told them to be strong as iron; but to gild their iron with as many fine words (and they have plenty) as they pleased

I understand they were vastly pleased, it may be from other reasons, than an impression of the sense of any thing I had said

I am not sure that they did not expect I should quarrel at this interview---I am not sure, that it would not have been wise to have done so, but I valued myself that all consideration of myself would come more honourably for us both from the Rajah

The very hour before I went to the palace, I had learnt that they wanted to reduce my salary 5000 Pagodas, and certainly they will attempt a reduction. It was near eleven before we parted. I was in bed, when my dubash brought my 400 pagodas, the month's batta. It was sealed, and not *shroffed** but they did not think it fitting to delay it.

(With this curious visit, the EDITOR will close his present extracts.)

* Examined by the money-changers.

CURIOUS STATE PAPER

Narrative of the accession of the Sultan Mahmud, to the throne of Constantinople.

Certain independent ministers of the Sultan the Porte, with the view of securing it, according to themselves possessed, had been the authors of certain conspiracies, intended to be the cause, under the denomination of *Nizam Gedid*, (new constitution), which was a name by which to conceal their particular interests, and to depose the respectable body of the men of law, of the servants of the empire, and of all the military corps, by passing, by these means, all the inhabitants of the Ottoman territories. By unmerciful tyrannies, they had alienated the hearts, and irritated the minds of all, to a degree, that all ranks of people, great and small, rich and poor, groaned under the general ruin. The *account* Reis Effendi, Mahmoud, who had been appointed inspector of the batteries constructed upon the canal of the Black Sea, for protection against the hostile attacks of the Russian fleet, exercised unhearing of violence and cruelties towards the garrison of the fortresses, and the better to succeed in his intriguing projects, he endeavoured to spread discord between Halil Aga, the commandant of the Castle of Cavak, and the garrison, these last were so much offended and exasperated at his infamous conduct, that they seized his person and massacred him, as well as the before-mentioned commandant, Halil Aga, on the 17th day of the moon Rebiulevvel (23th of May). Not being able to moderate the fire of their zeal, they advanced in a body on the 20th of the same

moon (28th May) towards Top-hanah, the arsenal and barracks of the artillery, and from thence to Aga Kapon on, the Head of the Janissary Aga, and the place called Etmiden, to proclaim the tyrannies exercised by the minister, and favourite of the sovereign, and to demand the punishment of these culprits — The public, in deep affliction at these proceedings, observed them in silence.

The same day Kiahia bey Memuck Effendi, Reis sifi Effendi, superintendent of the mint, Balci Effendi, the Costangi Bech Chakubey, were beheaded at the Porte, at the demand of the troops, and their heads were sent to the said place — The ex-devant Kiahja Bey Ibrahim Nissim Effendi had concealed himself at the house of a Christian, in the quarter called Jem Capon, but was discovered and conducted to Etmiden, where he was torn to pieces. The next day Friday, the same troop presented itself before the Sublime Porte, where were assembled all the men of the law — the principal object of this assembly being to a deposition and an inauguration, the people hastened in crowds to the seraglio, in the mean time, Mabeirig Ahmet Bey was found before the door of the seraglio, called Soruk Chefme, by the troops, who cut him to pieces. They then presented themselves before the Imperial seraglio, where the most powerful, most glorious, most generous emperor Sultan Mustapha Han, son of the Sultan Abdulhamid, whose greatness be eter-

* This official document, certainly of some singularity, was sent to the different Asiatic Courts, on the 1st revolution in Turkey — The mind is at a loss which most to admire in this precious morsel of diplomatic communication, whether the power and insolence of the Janissaries, the subservive weakness of the sovereign, or the utter contempt, exhibited in it, of public opinion and report.

The

nal, mounted the Ottoman throne. The Minister of Marine, Hagi Ibrahim Effendi, and the secretary of the grand seignor Ahmet Effendi, did not succeed in making their escape, but with a similar fate to the others, with respect to Civan Naibi (Magistrate of provisions) they contented themselves by banishing him to Brousse. Raghieb Pacha, who had been invested with the dignity of Pacha of Caramania, a short time before, was deposed and banished to Kertaja, on account of the many dissensions which took place in his department, occasioned by his incapacity. The troops of the *Arzum Gedid*, as also the treasury of the *Irak Gedid*, (new endowments) are entirely abolished as contrary to the constitution of the Ottoman empire. Orders have been dispatched to all parts to announce the abolition of the *Nizam Gedid*. The inspection of the idmality, replaced on the ancient footing, has been confided to Mustapha Rachid Effendi, who has been invested with the caftan, (robe of honour). During all these events, not only no individual has been molested, either in his person or his goods, but also not a single person of the before-mentioned troops has cast a look of ill upon any person whatsoever.

After all this had passed, the troops returned to their obedience and subordination, they promised, under the guarantee of their chiefs, to fulfil their duty as before, even at the risk of their lives. His Highness on his side, has had the generosity to engage his imperial word, through Maib Effendi, (man of the law), and Said Hallet the present Reis Effendi, who presented themselves at the door of the Janissary Aga, to promise him in his name, that the same troops, either generally or individually, should not be responsible, nor sought after on ac-

count of any thing that had passed, that the constitution of the Empire should be established upon the same footing as in the time of former grand Seignors, of whom God enlightens the manes, that the regulations of the corps of Janissaries of the Empire of the Sipou Solhidas, of the four regiments Gebigis, Topgis, Arabgis, and Cunbaragis, all of the ancient constitution, should be established in full force, and that all the institutions of the Empire in general should be on the ancient footing. By these means those who had to complain of the *Nizam Gedid* were satisfied. This event concluded with fidelity, and no person sustained any damage. The proclamation of his Highness, in regard to the powers of his friends, is to maintain the same amity with them that has always existed to the present time, and to display all possible energy, against his enemies, in order to frustrate their hostile plans. The constitutions of the Ottoman Empire, having returned to their primitive dispositions, thanks to the most high, order and tranquillity are restored. In order officially to communicate to the courts in amity with the Sublime Porte, this accession to the throne of the most gracious sovereign, to make known to them the manner in which this event came to pass, to assure them that the Sublime Porte, will never swerve from the voice of justice and equity, which she has constantly pursued; that she will preserve the same friendly sentiments, that she will remain firm and constant in her attachment to good harmony—it is to this effect that the present official declaration has been addressed and forwarded to the *Chancé d'Affaires* of his Majesty the King of France, given this nineteenth Rebi, ulaher 1222. 13th June 1807.

LETTERS

LETTERS OF NADIR SHAH.

BRIGADIER-GENERAL MALCOLM, who presented the translation of the following authentic papers to the president of the Asiatic society, gives a succinct account, in a prelatory letter, of the time and supposed circumstances under which they were written.

The date of the FIRST LETTER, addressed to Mohammed Ali Khan, Beglerberg of Fars, is conjectured, by reference to an acknowledged historical fact, to have been about the commencement of the year 1731, a few months previous to the dethronement of Shah Tahmasp. A proclamation, known to have been published at the period, is supposed to have been issued by Nadir Shah to the inhabitants of Persia, in which the principal topics hinted at in this private letter, are declared and represented to the people at large. This extraordinary state paper, describes the peace shamefully procured, as the most shameful and scandalous, announces the Shah's intention of proceeding with his victorious army, in the month of March of that year, against the Turks, to compel them to renounce the terms of the convention in their favor, recently concluded with Persia, and threatens to destroy all those who should throw any impediment in the way of his design. Though the proclamation does not fix the precise date of the paper under consideration, it may be fairly inferred from it, that the letter must have been written previous to the month of March, when the Shah's intentions, communicated and developed in the proclamation, were to be put in execution.

A conjecture may be hazarded, that this paper was the forerunner of that manifesto to the inhabitants of Persia, bearing, as it does, the signs of a confidential communication to one of the Shah's most powerful friends, with a view to sound the Governor of Fars Proper on the political subjects insinuated or glanced at in the letter. The complaint, as it seems, to his correspondent, that, in the midst of his (the Shah's) victories an ignominious peace had been sought, in which even the most natural provision had been neglected, the release of the members of the sect of Shi'ites from the Turkish prisons. He mentions that he had had a conference with the Persian Minister, at which he told him that the terms of the Convention ought not to be ratified or observed by the court as they must have been concluded under compulsion; and finally conjures the governor to hasten to Isfahan, to enforce the Shah's representations, by his own remonstrances, and to convince the king that the nobles and the commonalty alike repudiated the late inglorious measure of the government. It may be presumed that the Beglerberg, in compliance with his friend's solicitations, visited the Persian capital, and promoted the policy of the Shah. This would naturally pave the way for the proclamation, which is supposed to have followed.

General Malcolm conceives that Nadir Shah never exhibited more consummate art and policy, than at the date of this proclamation. But it would seem, at this moment, that he had completely thrown off the mask, and thought all dissimulation unnecessary.

unnecessary. He does not whisper, as in the letter just noticed, the secret conceits of his heart, in a confidential ear, but boldly denounces, and in tone clear and loud, the acts of the sovereign, in the streets and the market-place of Persia. He usurps the whole military power and threatens war and desolation at his will. If, like other usurpers, he call religious bigotry to his aid, it is not as a principal but an auxiliary, as an instrument always at hand, and available by every adventurer. He who seizes, without fear, the sword of the state, and ventures to upbraid the throne itself, can have little, it is presumed, to apprehend from the feeble anathema of the priesthood, though his prudence might be called in question, if he had declined to advantage himself of so obvious and so ready a means of promoting his usurpation.

THE SECOND LETTER bears internal marks of its having been written in the month of February, 1738, after the arrival of Nadir Shah at Delhi. It explains the causes that are stated to have induced the invasion of Hindustan, and gives a brief relation of general military operations, and a more particular account of the defeat of the emperor of India, in the battle of Karnal. The style of the original letter is described, by General Malcolm, as perspicuous and energetic, and recommended as a model of Persian composition. The general's opinion, on a point of Asiatic literature, may be taken on trust. That he also has been fortunate enough to combine, with oriental learning, the felicity of taste, will require no other testimony than the following apology for the Persian conqueror, which he places, with equal eloquence and address, in the mouth of the future historian.

"If such an author were to write the history of *Nadir Shah*, he would probably see something more than a mere usurper and tyrant in the man, who, born in a low rank of life, at a period when his country was overrun by foreign invaders raised himself, by the force of his own genius and courage, to the highest military rank; attacked, defeated, and expelled every enemy from Persia, and afterwards, with the universal consent of his countrymen, seized the sceptre which his vaour, had saved, and which a weaker hand could not have wielded. Such an historian, after dwelling with pleasure, if not enthusiasm, on the early events of his life, would accompany Nadir with satisfaction in his war upon those barbarous Afghan tribes, who, for a series of years, had committed the most horrible ravages in Persia, and though it would be impossible to commend the motives that led that monarch to attack the emperor of India, the extraordinary valour and conduct which he displays in that enterprize, the exercise he gave by it to that military spirit which he had, with such difficulty, rekindled among his countrymen, and the magnanimity with which he restored the crown (which he had conquered) to the weak representative of the illustrious house of *Timur*, might, without offence to truth, be stated, by such a writer, in mitigation of that insatiable desire of glory which prompted the enterprize, and of those excesses by which it was attended."

LETTER I.

(Written before Nader Shah ascended the throne,) addressed to
*Muhammad Ali Khan, Beglerbeg of Fairs; and giving an
 account of the conquest of Herat.*

To the highest of the exalted
 station, the elect of the great
 nobles, *Muhammad Ali Khan*, these
 happy tidings be conveyed.

Arise by the bounty of an all-
 powerful Creator, and the happy
 anjels of the house of *Hudai*,^{*}
 and the twelve holy *Imams* (on
 whom be eternal mercy,) with my
 crecent formed and all subduing
 scimitar, which in glory resembles
 the recent moon, and with my
 powerful and victorious army, and
 soldiers of propitious destiny, *who*
are those sent from heaven,† I
 have, under the influence of
 good fortune, surpassed all others
 in the capture of fortresses and
 cities.

At this happy and auspicious
 period, the host of *Afghans*, of
 the tribe of *Abdalli*, who fled
 from the edge of the conquering
 swords of my dragon-like war-
 riors, retired *as a spider within its*
web‡ into the Fort of *Herat*.
 Their hearts were distracted with
 fear, and the pillars of patience
 and fortitude, that had supported
 their resolutions, were cast down.
 Reduced to distress, by the com-
 plicated evils of famine and of
 the sword, they implored mercy,
 and "as clemency is enjoined to
 the powerful," I permitted them
 to evacuate the Fort, and have
 sent (with a view to disperse
 them) sixty thousand of this tribe
 with their families, who were re-
 duced to great misery, to the city

of *Khar Shahan* in the province
 of *Khorasan*. By the favour and
 blessing of that omnipotent be-
 ing, by whom I have been pro-
 tected, the Fort of *Herat* is in
 my possession, and the whole of
 the tribe of *Afghans*, as also of
 the *Ghezbaks* || of *Uzbekan*, who
 were in the bonds of alliance with
 them, have submitted, and have
 placed upon their necks the col-
 lar of obedience.

In the midst of these actions, by
 which the whole country from *He-
 rat* to *Candahar*, has been com-
 pletely subdued, and the disturbers
 of tranquillity, on the borders of
Khorasan, exemplarily punished, I
 learn by a letter from *Muhammad*
Reza Khan, who was sent ambassa-
 dor to the court of *Ken*,§ that he
 has concluded a treaty with the
 king, by which it is agreed that the
Turkish empire shall possess the ter-
 ritory on the other bank of the river
Aras, and the *Persian*, all upon
 this—but no arrangement appears
 to have been made for the liberation
 of the prisoners of the sect of *Ali*,
 who are confined in the *Turkish*
 dominions.

It is an incontestible truth, that
 the existence of humble persons,
 like us, who, from the favour of a
 divine providence, have obtained
 rank and pre-eminence over others,
 is for no other purpose than that
 we should be the friends of the
 sect of *Shiaks*, that we should re-
 lieve the distress and dispel the

* *Ali*. Here the tribe of *Shiaks* are meant, who are supposed to be under *Ali's*
 protection, and, in fact, part of his tribe.

† Sent not named by name, are passages from the *Koran*, of which I have con-
 siderably rendered the meaning.

‡ From the *Koran*. The passage literally signifies "like unto the spider that
 maketh himself a web." But the weakest of all houses such is the spider's.

|| A particular tribe of *Afghans*.

§ Constantinople.

grief of the poor and the afflicted, ("nor to protect the ruled is the duty of the ruler") That we should combat the enemies of the weak, and eradicate the distemper of sedition, from the body of the state—not that, chief to the voice of the boldness, and true idol of those that are pious, we should break such sacred engagement, to consider the approbation and yield to the power of a proud enemy.

By the great and powerful God, this act, is but wish vain to their enemies, and wish joy to the sect of *Shi'as*, the destruction of the civil mind is the glory and exultation of the followers of *Ali*. *When the angels are called to the sacred contest, the angels are great. The angels will not, if they were to escape of death. If the angels pass over, and it is forgotten. They revile and mock with their tongues.*

This is a just description of the *Turkish* tribe. Why should we listen to mere provocations? Or why confine ourselves to the back of the *Aras*,* when it is manifest,

that the peace, which has been concluded, is contrary to the wish of God, and irreconcilable to the wisdom, or dignity, of imperial greatness.

I have stated to the minister of the exalted prince, that such a peace could be permanent, and that, I conclude the mission of an ambassador, to have been an act of compassion, as I cannot believe that the prince would, under other circumstances have consented to such a degradation of his dignity. But at all events, as our kings are continually made in the places of the lords of the material and the holy men, with broken hearts, displaying to their divine Creator for the release of the *Alim* and the *Ulema*, it was my determination, after receiving leave from the holy prince of regions † *Abu Hasan Ali*, (on whom be eternal blessings) to march on the second day after the feast of *Idra*,‡ toward the disputed quarter, aided by the divine power, and accompanied by an army raging like the troubled ocean.

I shall overflow my banks, and fly like an impatient lover to his mistress,

Like a torrent, will I rush, with my breast ever on the earth
Hafiz, if thy footsteps desire to gam, by the true path, the holy house,

Carry along with thee the virtue of the exalted *Negaf*

I have represented also, that I have sent the high in dignity, *Mahsum Ali Beg Geraili*, ambassador to the court of *Rum*, and that he is attended by a respectable escort, and that he is fully acquainted with my wishes and sentiments.

You will no doubt be rejoiced to hear, that, as it was to be hoped from the goodness of God, this peace with the *Turks*, is not likely

to endure, and you may rest in expectation of my approach. For by the blessing of the most high, I will advance immediately, with an army clad with success, skilled in sieges, numerous as emmits, valiant as lions, and combining with the vigor of youth, the prudence of age,—I will attend on the exalted prince, and then proceed towards the *Turkish* frontier.

* *Aras*.

† One of the twelve *Imams* who died at *Meshed* Khorasan where he is buried.

This feast happens at the conclusion of the month of *Ramzan*.

Let

Let the cup-bearer tell our enemy, the worshipper of fire,
To cover his head with dust,
For the water, that had departed, is returned into its channel.

Such of the tribe of *Shiahs*, as are backward on this great occasion, and are reconciled to this shameful peace, should be expelled from the faithful seat, and for ever counted among its enemies. To slaughter them will be meritorious, to permit their existence impious.

I have heard that, during the reign of *Mutasim*,
A woman of *Ajam* was taken by the foe
Her eyes became channels for torments of blood
She thus complained of her wretched state,—
“ Oh, *Mutasim* ! why art thou supine ? I call for justice !
Thy subject is a prisoner in the hands of thine enemy.
Thou art the flame in the lamp of the country
On thee depends the shame or glory of the nation
Thou art the protector of the poor and wretched
All their children are the children of their sovereign.”
Her masters, astonished at these exclamations,
In rage struck her on the face ;
And said, “ now let your monarch, *Mutasim*,
With all the renowned heroes of *Persia*,
Collect an innumerable army,
And come, if they choose, to thy rescue.”
This speech soon reached the great *Mutasim*,
Who immediately published, throughout *Persia*,
That all, who pretended to the name of men,
Should instantly assemble in arms
When the monarch had completed his mighty preparations,
He soon heaped destruction on the heads of his enemies,*
To release one prisoner from the hand of the foe
If an incomparable army were assembled,
At this moment, when numbers of the *Shiahs* of *Persia*
Are prisoners in the hand of cruel men,
And, with their lamentable cries, uttered morn and eve,
Have rendered dark and gloomy the azure sky ;
It is acknowledged by the tribe of *Shiahs*,
That the king† of *Khorassan*, the Imam of the age,
Is not considered by the men of *Persia*
As less honourable, nor of lesser fame, than *Mutasim* .
Then, by the mercy and greatness of the creator,
Victory is still declared to these soldiers.
Under the auspices of the most merciful of the world,
I have taken ample vengeance on the *Afghans*.
Aided by the fortune of the lord of *Khorassan*,
I have been revenged on the whole tribe of the *Afghans*.
There remains not in this quarter, at this period,
Aught of that tribe but their name.
In this war great actions have been fought.

* This story is related by historians, of *Mutasim*, the son of Harun Al Rashid, and eighth Khalif of the house of Abbas. D'Herbelot, at Bibl. Or, 699.

† *Ali Mansur* the seventh Imam, buried at *Meshed*.

The *Kexel-bashes* * became each a sharp-pointed thorn.
 From the slaughter that has been made, and the blood that hath been
 shed,
 Our high-polished scymitars have received a purple stain
 I have taken from the worthless foe,
 With my sword, the region from *Herat* to *Candahar* †
 By the sacred temple of the lord of *Nejef*, ‡
 We will turn with vehemence to that quarter
 We will perform a pilgrimage to that threshold ;
 And we will afford protection to our prisoners ,
 We will take ample vengeance of the *Turks* ;
 We will punish † all our foes.
 And in this war, whoever continues inactive,
 Or from baseness remains in pretended ignorance,
 Both his property and his blood are lawful prize,
 He is to be considered out of the pale of the true faith "

MOST NOBLE LORD,

If the state of the province of *Fais* will permit, lose not a moment in repairing to the court of the most exalted prince at *Isfahan*, and represent to him that, as the peace, which has been concluded, will benefit no person whosoever, and can in no light be viewed as proper or reputable, it neither meets the approbation of the nobles, nor the commonalty of the empire.

But, if you should be prevented from moving to the capital, owing to the dispute with the *Arabs* not being adjusted, let me be instantly informed. If you are able to quell these troubles, it is well. But if you require aid, make me acquainted ; and a detachment of my victorious army shall march to your support.

Keep me regularly informed of the news of your quarter.

LETTER II.

From *NADIR SHAH*, to his son *REZA KULI MIRZA*, giving an Account of the CONQUEST OF DELHI.

<p>To the exalted and glorious son of our wishes, the valiant <i>Reza Kuli Mirza</i>, who is our vice-gerent in <i>Iran</i>, the seat of our empire, our most beloved, the pre-eminent</p>	<p>in royal rank, allied to us in dignity,—be these glorious commands known <i>Agreeably</i> to our former communications, after the defeat of the</p>
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* *Persians*, literally *Rakh adt*, a name given to them, from the circumstance of *Shah Ismael* having dressed all the followers of the sect of *Shah* in worned caps.

† Ali, son in law of the *Emperor* who is buried at *Herat*.

‡ Literally, *furbiat the garments*.

the Afghan prince, Ashref Ali Medani Khan was appointed our ambassador to the court of Hindostan, for the purpose of representing to that court, that as the turbulent Afghans of Candahar, and its neighbouring provinces, were to be considered equal enemies to both states, it would be advisable to appoint an army from Hindostan, to occupy the passes, and prevent the retreat of the marauders. The emperor, Muhammed Shah, gave a ready assent, and concluded a treaty to the proposed effect. After the return of our ambassador, we sent Muhammed Ali Khan to the court of the Indian emperor, to repeat our instances on this subject, and Muhammed Shah confirmed his former engagement.

After our glorious and victorious standards returned to Candahar, we understood from our conquering generals, employed with a part of our force, in the reduction of the Afghans of Kailat and Ghizni, that Muhammed Shah had in no respect fulfilled his engagements, and that no appearance of an Indian army had been seen in that quarter. This intelligence induced us to send, with the utmost expedition, Muhammed Khan Turkoman to the court of Delhi, to remind the emperor of his promises, but that sovereign and his ministers, in dereliction of their former engagements, treated the subject with neglect, omitted answering our letter, and even put restraint on the person of our ambassador.

In this situation we were impelled to march against the Afghans of Ghizni and Cabul, and after punishing the refractory mountaineers in that quarter, as we considered the neglect and contempt with which Muhammed Shah had

behaved, and his conduct to our ambassador irreconcilable with friendship, we marched towards Shahjehanabad.

Of our success in reducing the provinces of Peshawar, and taking possession of Lahore, the former seat of the empire, our beloved son has already been informed. We marched from that city the last day of Shawal, and on Friday, the 10th of Zilkad, reached Ambala, forty farsakhs from Shriehimabad. We here learnt that Muhammed Shah had collected from Hindostan and the Deccan a numerous force, and, accompanied by all his nobles, by an army of three hundred thousand men, three hundred pieces of cannon, three or four hundred elephants, and other equipments in proportion, had marched from Delhi, and arrived at Panipet, a village twenty farsakhs from Ambala. We immediately detached the superfluous and heavy baggage of our conquering army to be left at Ambala, and advanced to meet the enemy — Muhammed Shah also left Panipet, and marched to Canal, which is twenty-five farsakhs from Delhi.

In the course of our march we detached a force of five or six thousand men in advance, who had orders to observe the appearance, numbers, and order, of Muhammed Shah's army. This body, when about two farsakhs from Canal, fell in with the advance of the Hindostanee army, which amounted to twelve thousand men: these they attacked, and totally routed, presenting us with their general, and many others whom they made prisoners.

This signal defeat put a stop to Muhammed Shah's further advance. He halted at Canal, and surrounded his army with a trench: he

he also constructed ramparts and batteries, on which he placed his cannon.

We had sent a detachment to march to the east of Muhammed Shah's camp, and post themselves on the road that led to Delhi; this party received accounts, on the night of Tuesday the 15th, that Saadet Khan, known by his title of Burhen ul Muik, and one of the chief nobles of the empire, had reached Malahat, accompanied by an army of 30,000 men, a train of artillery, and a number of elephants, and intended forcing a junction with Muhammed Shah.

With a view of intercepting this force, we marched our army, two hours before day-break, to the east of Canal, and occupied the road between that village and Pampet. This movement, we hoped, would force Muhammed Shah from his entrenchments. About an hour and a half after day-light we had passed Canal, and gained the east side of the Hindostanee camp, when the advance guard made prisoners of some stragglers of Saadet Khan's party, from whose information we learnt that that general had succeeded in his design of forming a junction with the emperor, in whose camp he had arrived at ten o'clock the preceding night.

On this intelligence we were pleased to order our royal tents to be pitched on the ground, which we then occupied, opposite to the camp of Muhammed Shah, from whom we were distant about one farsakh.

As the junction of *Saadet Khan* had been the cause of *Muhammed Shah's* delay, he conceived on that event his appointments to be complete, and, leaving two-thirds of his cannon for the protection of his camp, he advanced with a great part

of his army, a third of his artillery, and a number of his elephants, at twelve o'clock the same day, half a farsakh in the direction of our royal army, and drew up his troops in order of battle. Placing himself in the centre of the advanced lines, he stationed the remainder of his troops in the rear as a support. Their numbers were incredible. They occupied, as close as they could be drawn up in depth, from the front line to the entrenched camp, a distance of half a farsakh, and then front was of equal extent. The ground was every where dark with their numbers, and to judge from appearance, we should suppose they were ten or twelve times more numerous than the army of *Alul Khadogly*.

We, whose only wishes were for such a day, after appointing guards for our camp, and invoking the support of a bountiful creator, moved and advanced to give battle.

For two complete hours the battle raged with violence, and a heavy fire from cannon and musquetry was kept up. After that, by the aid of the *Alu ghiz*, our house-hunting heroes broke the enemy's line, and chased them from the field of action, dispersing them in every direction.

Saadet Khan mounted on his state elephant, his nephew *Asya Muhammed Khan*, and other relations, tell prisoners into our hands, *Sam am Ali Khan Bu-ai Amur*, *U' Omrah*, *Lonadar*, the first minister of the empire, was wounded. One of his sons, with his brother *Mazefer Khan*, was slain, and another of his sons, *Afir Jashar*, was taken prisoner. He himself died the following day of his wounds.

Wood.

Wasit Khan, the commander of the emperor's body guard, *Shadat Khan*, *Amir Kuli Khan*, *Ali Muhammed Khan*, *Mir Husen Khan*, *Khajja Ashref Khan*, *Ali-Yar Khan*, *Akili Khan Beg*, *Shahdd Khan Afghan*, *Ahmed Ali Khan*, *Razan Ras Khan*, commander of the artillery, as also *ShirKhalu*, with about three hundred other nobles and leaders, of whom fifteen were commanders of seven thousand, of four and of three thousand, were slain.

Muhammed Shuh, with *Nizam Ul Mulk*, ruler of the seven provinces of the Dechin, and a chief noble of the empire, *Kamer Ul Din Khan*, chief vizier, and some other nobles of less note, protected by a covering party which had been left, made good their retreat within the intrenchments, and escaped the shock of our victorious swords.

This action lasted two hours, and for two hours and a half more were our conquering soldiers engaged in pursuit. When one hour of the day remained, the field was entirely cleared of the enemy; and as the intrenchments of their camp were strong, and the fortifications formidable, we would not permit our army to assault it.

An immense treasure, a number of grand elephants, the artillery of the emperor, and great spoils of every description, were the reward of our victory. Upwards of twenty thousand of the enemy were slain on the field of battle, and a much greater number were made prisoners.

Immediately after this action we surrounded the emperor's camp, and took measures to prevent all communication with the adjacent country, preparing at the same time our cannon and mortars to level with the ground the fortifications which had been erected.

As the utmost confusion reigned

in the imperial camp, and all discipline was abandoned, the emperor, compelled by irresistible necessity, after the lapse of one day, sent *Nizam Ul Mulk*, on Thursday, the 17th, to our royal camp, and the day following, *Muhammed Shah* himself, attended by his nobles, came to our heaven-like presence, in an afflicted state.

When the emperor was approaching, as we are ourselves, of a *Turkoman* family, and *Muhammed Shah* is a *Turkoman* and the lineal descendant of the noble house of *Gaurgani*, we sent our dear son, *Nasir Ali Khan*, beyond the bounds of our camp, to meet him. The emperor entered our tents, and we delivered over to him the signet of our empire. He remained that day a guest in our royal tent.

Considering our affinity as *Turkomans*, and also reflecting on the favors and honors that befit the dignity and majesty of a king of kings, we bestowed such upon the emperor, and ordered his royal pavilions, his family, and his nobles, to be preserved, and we have established him in a manner equal to his great dignity.

At this time, the emperor with his family, and all the Lords of Hindustan, who marched from camp, are arrived at *Delhi*, and on Thursday, the 29th of *Zilkad*, we moved our glorious standards toward that capital.

It is our royal intention, from the consideration of the high birth of *Muhammed Shah*, of his descent from the house of *Gaurgani*, and of his affinity to us as a *Turkoman*, to fix him on the throne of empire, and to place the crown of royalty upon his head.

Praised be to God, glory to the Most High, who has granted us the power to perform such an action!

For

For this great grace which we have received from the Almighty, we must ever remain grateful.

God has made the seven great seas like unto the vapour of the desert, beneath our glorious and conquering footsteps, and those of our faithful and victorious heroes. He has made, in our victorious mind, the thrones of kings, and the deep ocean of earthly glory, more despicable than the light bubble that floats on the surface of the wave, and no doubt his extraordinary mercy, which he has now shewn, will be evident to all mankind.

As we have taken possession of a great number of cannon, we send 20,000 *Moghals* of *Iran* and *Turan*, with a detachment from our own conquering army, and a body of artillery, with some large elephants, whom we have directed to march to *Calul*. No doubt our sons will inform us of the affairs of that quarter.

After the arrival of your letter, we will either order the detachment which we have sent to proceed to *Bulkk* or to go to *Heiat*.

We have appointed the high in dignity *Jashur Khia* to march to *Bulkk* after the *Nauvas* (22nd of March), which he no doubt will do.

Consider our glorious victory as derived from the bounty of the creator, and as an event of fortune beyond all calculation. Make copies of this our royal mandate, and disperse them over our empire, that the well-wishers of our throne may be happy and rejoice, and our secret enemies be dejected and confounded. Be you constantly employed in adorning and arranging your government, placing your hopes in the favor of the Most High, so that, by the blessing of God, all those, whether near or distant, that are not reconciled to our glorious state, and are brooding mischief, may be caught in their own snares, and all real friends, who are under our dominion, may attain their wishes, and prosper under the auspices of our munificent government.

Dated 29 *Zikrat* 1115 *Hejra*,
Shahzadah, or *Delhi*.

ACCOUNT OF THE JAINS

The short account of this religious sect is furnished by Major Mackenzie, of the Madras Engineers, on information communicated to him by two of the principal priests of this curious class of people. The description of the casta, and customs, and habits of the Jains, to which the following sketch is confined, is preceded in the more ample details of the Brahmans of this order, by a chronological account of the Gurus or spiritual directors of the sect; and by an history, according to Jaina tradition, and superstition, of the monarchs, by whom the "world was ruled," to the beginning of the *Caliyuga* or present age, embracing an interval of many thousand years duration. As none but the learned orientalist could be expected to have a taste for Hindu appellatives and titles, or the classification of sovereigns, who have been so long dead and forgotten, that the world cares nothing about the memory of them, the Editor has chosen to confine himself to the portraiture of animated beings, in whose history, character, and mode of life, all men living must take an interest.

The *Jains** are divided into four classes or casts, in like manner, as the followers of the Vedas, viz *Brahmens*, *Cshatris*, *Vaisyas*, and *Sudras*, the *Brahmens* are the priests, or ministers of religion, for the other three casts, their duty is to study the *Purānas* and *Sāstras*, but they have no Vēdas. However they have the *Agama Sastra*, treating of prayers and other religious duties. They worship the fire, in the ceremony of marriage, and in that of initiation, (*Upanyana*)† The *Jains* observe the time of mourning for their deceased relations, according to their casts, as follows an Ascetic or *Yati*, should mourn for the death of his relations, one minute; *Brahmens* are to mourn ten days, *Cshatris*, five; *Vaisyas*, twelve, *Sudras*, fifteen. Their lower or inferior cast consists of the *Pariyas*, or *Chandalas*.

There are four orders of priests among the *Jains*, as among *Hindus* in general. 1. *Brahmachari* or student 2. *Grihastha*, or householder. 3. *Vanaparasta*, or hermit 4. *Bhicsu*, or mendicant.

There are sixteen ceremonies, which the *Jains*, as well as the followers of the Vedas, observe. Among which are 1. (*Garadhana*) the ceremony at the consummation of a marriage 2. (*Simant*)

adorning a married woman's head with flowers, when she is six months gone with child 3. (*Jatacarma*) ceremony on the birth of a child, 4. (*Namacarma*) or naming a child. 5. (*Annaprasana*) when at six months old, or within a year, the child is weaned, or first fed with other sustenance than his mother's milk 6. Boring the ear, shaving the head, and placing the sacred thread round his neck. 7. (*Pivaha*) the first marriage, or rather betrothing. 8. (*Sastrahasana*) the ceremony observed, when the young lads begin to read the *Sastras*, at the age of five years, five months, and five days. 9. They also observe other ceremonies, together with those of funerals, &c &c. &c. They perform the ceremony of *Upanyana*, or initiation, for a boy, between five and nine years of age; which is the period when children begin to study the books of the law. A student, till he is married, should be only a thread round his loins, with a rag to cover his nakedness; he should carry constantly in his hand, a small staff. This is practised till his wedding day, when as soon as he is married, he attains the second rank, or that of householder; then he may dress properly at his pleasure; and should now endeavour,

* The *Jains* constitute, according to the result of the enquiries respecting them, and as noticed by Mr. Colebrooke, a sect of *Hindus*; differing in some tenets, but agreeing mainly in leading opinions and customs. The points of consent and discrepancy are noted with great accuracy and perspicuity, as, indeed, is every subject which is fortunate enough to engage the attention of the president of the Asiatic Society. Among the FIRST, is the division of the sect into four large casts—the use of the same religious ceremonies with the *Hindus*, from the time of the birth of a male, to the period of his marriage—the observance of general fasts, and the acknowledgment of subordinate deities. Among the LATTER—is their refusal of particular worship to any one of the five principal gods of the *Hindu* sects and of prayers and sacrifices to the sun or fire—and their rejection of the divine authority of the Vedas, and the ceremonies enjoined by them.

THE EDITOR

† This must arise from employing, at those ceremonies, *Brahmens* of the orthodox sect. The *Jains* themselves do not appear to worship fire, H. T. C.

four, by labour, service, or trade, to provide for, and sustain his family. He should act in all respects agreeably to the instructions of his preceptor. Besides these duties, there are six particularly assigned, to be performed in the station of householder, as follows

1. Worshipping God, or the images of the ancient sains; 2. Venerating spiritual parents; 3. Studying or reading their holy books; 4. (*Tapasya*) Internal or mental devotion, abstraction from all thoughts but that of the deity; 5. Making and fulfilling of vows for the attainment of wishes, 6. Giving to the poor

There are three classes of Yatis, or Ascetics, among the *Jains*, viz *Anuvrata*, *Mahavrata*, *Nirvana*. To attain the rank of *Anuvrata*, one must forsake his family, entirely cutting off his hair, throwing away the sacred thread, holding in his hand a bundle of peacocks feathers, and an earthen pot, (*Camandalu*) and wearing only tawny coloured clothes, he must reside for some time in one of their temples; he next proceeds to the second rank (*Mahavrata*) when, totally abandoning any degree of elegance in his dress, he uses only a rag to cover his nakedness, as a *Brahmachari*; he still retains the fan and pot; he must not shave the head with razors, but employ his disciples to pull out the hair by the roots*. On the day on which this operation is performed, he abstains from food, at other times he eats only once daily, of rice put in the palm of his hand. Having, for a considerable time, re-

mained in this state of probation, he attains the third degree of *Nirvana*. He then lays aside, even rags, and being quite naked, he eats once every second day, of rice, put by others in the palm of his hand, carrying about with him the clay pot and a bundle of peacocks feathers; it is the business of his disciples to pull out his hair, and he is not to walk, or move about after sun set; he now is called by the dignified title of *Nirvan*, and the *Jains* worship him as a God of their tribe, in like manner as the images which they worship in their temples, of the ancient *Nirvan* or *Gurus*. Yet they say, that these are not the likeness of God; "because no one knows God, or has seen his likeness," that he "should be able to describe him." However, they adore these images of their *Nirvana-naths* as Gods.

Agreeably to their laws, the *Jains* ought to make three ablutions daily, in the morning, afternoon, and evening. In the change and vicissitudes of all things, that degree of strictness is omitted, and they now wash only once a day before they eat; generally they eat their food on leaves and sometimes in brass vessels, but that is not practised in this country.

The *Cshatris*, *Phusyas*, and *Sudras*, among the *Jains*, may eat victuals dressed by *Jaina Brahmins*; but *Brahmins* never eat food prepared by any but their own tribe. "To abstain from slaughter is the highest perfection, to kill any living creature is sin;" hence the *Jains* abstain from food after sun-set,

* To the effects of this operation they attribute the appearance on the heads of the images of their *Gurus*, which Europeans suppose to represent curling, or woolly hair, C. M.

set, lest sin be incurred by depriving any animal, even the minutest insect of its life in their food, for the same reason they never drink water without straining it through a cloth.

The principal tenets of their religion, translated from a *sattra* of their books, follows. "The *Jains* should abstain from the following things, viz. eating at night; slaying any animal, eating the fruit of those trees that give milk, pumpkins, young barban plants, tasting honey, fleas, taking the wealth of others, taking by force a married woman, eating flowers, butter, cheese, and worshipping the Gods of other religions. To abandon entirely the above mentioned is to be a proper *Jain*." The *Jains* (even the young boys) never taste any meat, as it would occasion expulsion from their caste. They never use intoxicating liquors, nor any other forbidden drink.

A *man* who objects to observe due precautions, that no living creature be exposed to danger, from the following five domestic occupations, will not be admitted to the sacred presence of God. 1. In spitting freely, 2. Farming the floor, and covering it with cow dung, 3. Cleaning the fire place, 4. Straining water, 5. Sweeping the house. When about to perform these offices, he should first be careful, that there be no insect, for it is a mortal sin to hurt any living being.

The women should marry before menation period, though owing to charges, and particularly their poverty and depression, they

are now obliged to put off this ceremony till long after the proper age, for want of money to pay the expense. When a woman is married, she must stay at a distance from her relations in unchanged clothes, for four days. On the morning of the fifth day, she is permitted to mix with her family after ablution.

A Jain woman never marries but once, and, if the husband dies when she is young, she must remain a widow as long as she lives, being forbidden to wear ornaments or delicate apparel, or to use nice food. In the western quarter, to *was Shivala, Coodyul*, &c. when the husband departs from the world, the widow's head is shaved in like manner as the *Lochans* widows of other countries, but this custom has gone out of use in the country for a considerable time, as it now never is used elegantly, and is not allowed to wear glass rings, or the *Man-gateutha*, (an ornament on the wedding day, tied round the neck of the bride, by the husband) nor to use the yellow and red colours, or paint, by which married women are particularly distinguished. While the husband lives, they may wear all ornaments allowed by the law, opulent people of this tribe are still permitted to dress like other *Hindus*, in all kind of costly apparel, suited to their station.

When a man dies they burn the corpse, and throw the ashes into water, the rich cast the ashes into rivers. They never perform other obsequies, as their law says, "the spirit is separate or distinct from" the

* See Menu, 3 v 68. The same notion occurs there, but the orthodox have sacraments to expiate the involuntary sin. The *Jains*, not admitting the efficiency of religious acts, are content to use precautions to avoid the sin, H. T. C.

"the body, which is composed of five elements, when therefore the corpse is burnt, the several parts which composed it, return to their former state, consequently, to the deceased no ceremony is due." After death, as nothing of him remains therefore they omit to perform the monthly and annual ceremonies which other *Hindus* observe on this occasion, and they give these reasons in vindication. "A man should feed himself with the best food while he lives in this world, as his body never returns after it is burnt."

They further say, that the foolish people of other times, being deficient in sacred knowledge, spend money in vain, on account of deceased relations, for how can a dead man feel satisfaction in ceremonies, and in the feeding of others? "even a lamp no longer gives light, by pouring more oil into it, after its flame is once extinguished." Therefore it is vain to make feasts and ceremonies of the dead, and, if it be wished to please relations, it is best to do so while they are yet living, "what a man drinketh, giveth, and eateth in this world is of advantage to him, but he carrieth nothing with him at his end."

"A man of sense should believe only what he seeth with his own eyes, and should never believe what he heareth from others." The *Jains* do not (like the followers of the *Vedas*) believe, that this world exists by the supreme power of God, for they say, that the world is eternal, and that its changes are natural. They deny, the world is wholly subject to destruction, for all things are born by the power of nature, God only is

exempt from *Cauma*, or the frailties and misadventures of nature.

As the *Jains* profess not to put faith in oral testimony and only believe in what is perceptible to their own organs of sense, therefore, they do not believe, that God is in the heavens above, "because no one ever saw him," and they deem it impossible for others to see him, but they believe in their *Tirthankars*, as their ancestors have seen and given a full description of the first prophet, or *Guru*, who attained the station of *Nirvana*, by his extraordinary perfections and actions, to the satisfaction of mankind, down to the present age. Since his time they have images of the several *Gurus* who succeeded him, and were incarnate as protectors of their religion. These natural images they worship in their temples, with all due ceremonies, they consider them as gods, or rather as representatives of god, whom they describe as follows, "He has a likeness, and no likeness; he may be compared to an image of chrysol, he has eight good qualities, and is exempt from eight evil qualities, he is all wise, all seeing, the father, or the origin of all, enjoying eternal bliss, without name, without relation, or beginning, infinite, indescribable." The eight evil qualities which the nature of gods is exempt at ignorance mental blindness, vain opinion to nature, the distinction of name, or tribe, delusion mortality, dependence. He who possesses these good qualities, and has overcome these evils, or is superior to them, is the god of the *Jains*, or *Jneyanara* being incarnate in the shape or body of one of their *Gurus*, or *Tirthankars*.

Tir'hacars. Therefore the *Jains* worship the images of their *Gurus*, as the means of attaining the following station. 1. (*Saloca*) a station, whence god is beheld at a distance, 2 (*Samipa*) one in the presence of, or near god, 3 (*Sarupa*) similarity to god, 4 (*Sayoga*) union with God. According to these several gradations, he belongs either to the order of, 1st (*Grihasht'ha*) a householder, 2nd (*Anuvrata*) the lowest rank of ascetics; 3d. (*Muhavrata*) the second; or fourthly, (*Nirvana*) the highest. But a bad man who leads an evil course of life, in contradiction to their sacred laws, departs at his end, to hell, or *Naraka*. The *Jains* of this country never follow any other trade than merchandize. They wear a cloth round their loins, a turban on the head, and a jacket to cover the body, and put a mark with sandal powder on the middle of their foreheads, some have a small cudlet with red powder, in the centre of the sandal mark, by way of further decoration.

The preliminary form of addressing letters by the *Jains*, to one another, is as follows

"To him who possesses all good qualities, who performs all charities, (or bestows alms) according to the laws, who observes the rules of the *Jains*, who has zeal to repair the Jain temples, who

"perseveres in observing the ceremonies of *Ashtami* and *Chatu-dasi*, (8th and 14th of each half-month) he who purifies his head by the drops of the sandal water in which the images of the *Jains* are bathed, to such I bow my head, &c &c.

At this time the *Jains* have four *Mat'hadhupis*, or chief pontiffs, at the following places. 1. *Pennagonda* or *Pennacotta*, 2 *Canchi* or *Conjeevaram*; 3. *Collapur*; 4. *Delhi*.

Their *Samnyasis*, for a long time back, have resided in these places, with power over all those, professing their religion; these pontiffs teach their laws, duties, and customs, and if they observe any irregularities among their flocks, punish them according to the nature of the offence.

The *Jains* intermarry with women of other families, or *Gotras*, and eat with the disciples of their several priests and casts.

They generally account modestly for all their tenets, and conduct themselves with propriety, and never assert, that their bodies are eternal, and that there is no god, nor do they, like the *Buddhists*, say, "After death, there is no pain in the flesh, or feeling; since it feels not pain, nor death, what harm is there in feeding upon it, when it is necessary to procure health and strength."

ACCOUNT of the SECT of the PARSEES,

Besides the Moors and the Bauddhists, and the Faquirs, which belong to both professions, the Parsees are a sect very considerable in India, of whom the tradition

is, that, coming from Persia in a tempest, at the time that Mahomet and his followers gave laws to the Persians, (which they were unwilling to submit to) they were driven

driven to that distress, that they almost despaired of life, till, hearing a cock crow, and espying fire at land, they recovered their hopes of safety, and gained a speedy arrival. The cock therefore is as much esteemed by them, as the cow is by the Banmans, of the lives of both which they are the zealous patrons and protectors. For the worshipping of the fire seems to be the most ancient instance of idolatry in the world, inasmuch, (as some think) that Cain, after he was banished from the presence of the Lord, turned a downright idolator, and then introduced the worship of the sun, as the best resemblance he could find to the glory of the Lord, which was wont to appear in a flaming light. And in after-times, they worshipped fire in the eastern countries, as the best emblem of the sun, when it was absent. Not was the vestal fire ever more sacred, than all other fires are with the Parsees, the extinction of which, if it is voluntary, is a crime as heinous as if the vital heat of the cock, or some other beloved animal, were destroyed; so that if their houses were on fire, they would sooner be persuaded to pour on oil to increase, than water to assuage the flame. If a candle is once lighted, they would judge the breath of him more than pestilential, that durst attempt to blow it out. And a Parsee servant, who is commanded to bring a hot steel, and warm with it a bowl of punch, will plead his excuse, and that he dares not hasten the coolness of the steel by a violent abatement of the heat. The active flame must be allowed to live, while there is any fuel for it to feed on; if the fire is once kindled, all care is taken that it

comes to a natural expiration, and no violence allowed to bring it to a period sooner. Another account we have of their respect for fire, is, that their lawgiver, Zertoost, was taken into heaven, and brought from thence fire with him (Promethæus-like) which he commanded his followers after to worship.

They have other fables concerning Abraham, that he was once in the devil's power, who exposed him to the flames, but the kind fire would not fasten on him; from which they infer the great unreasonableness of destroying that element, which was so averse, (notwithstanding all its fury) from hurting Abraham, their friend. The reason of this may be, because that Abraham came from the land of Uz, which signifies fire, which might give occasion for the tale of his escaping the fire.

They own and adore one Supreme Being, to whom, as he is the original of all this, they dedicate the first day of every month, in a solemn observance of his worship. And enjoy, besides these, some others for the celebration of public prayers.

At their solemn festivals, whether an hundred or two sometimes resort, in the suburbs of the city, each man, according to his fancy and ability, brings with him his victuals, which is equally distributed, and eaten in common by all that are present. For they shew a firm affection to all of their own sentiments in religion, assist the poor, and are very ready to provide for the sustenance and comfort of such as want it. Their universal kindness, either in employing such as are needy and able to work, or bestowing a seasonable

reasonable bounteous charity, to such as are infirm and miserable, leave no man destitute of relief; nor suffer a beggar in all their tribe; and hence they so fully comply with that excellent rule of Pythagoras, "to enjoy a kind of community among friends."

These Parsees are by another name termed Gaters, or worshippers of Fire, because of their veneration of that element, and were transported into India, when Chyl Chah reduced the kingdom of Persia, under the power of the Mahomedans; and they profess the ancient religion of the Persians. But their religion spread itself more widely, it seems, than Persia, for the Babylonians, who by their religious discipline were engaged to the worshipping of the sun, and likewise, under the names of Nego and Shaca, adore the fire and the earth. And the parents of Gregory Nazianzen, who was born in the fourth century at Arianzum, an obscure village belonging to Nazianzum, a town of second Cappadocia, were of a mixed religion, made up of Judaism and Paganism, or rather some select rites of both; for with the Gentiles they did honour to fire and burning lights, but rejected idols and sacrifices; and with the Jews, they observed the sabbath. But I believe what remains of this cast, are most of them in the kingdom of the Great Mogul. But we read of some in Persia of great antiquity, for near Ye-d, in the province of Ayrack, (or Hierack Agem) which yields the richest and fairest tapestries of all Persia, and of the world, and on the mountain Albor, there are yet some worshippers of fire, who are said to have used it above 3000 years.

They are not quite so abstemi-

ous in their diet as Bannians, but superstitiously refuse to drink after any stranger, out of the same cup. Some Hindoos will eat of one kind of flesh, some of another, but all refrain from beef, out of respect to kine.

In their callings they are very industrious and diligent, and careful to train up their children to arts and labour. They are the principal men at the loom in all the country, and most of the silks and stuffs at Surat are made by their hands. The high priest of the Parsees is called Dastoor, their ordinary priests Daroos, or Hat-books.

I shall not mention their marriages, which much resemble the manner of the Bannians, but proceed only to a description of their way of burying, which is thus: the noblest sepulchre which they fancy they can bestow upon their deceased friends, is exposing them to be devoured by the fowls of the air, and bestowing their carcases on the birds of prey. After the body is for some time dead, the Halalchoes (which are a sort of sordid Indians) take and carry it out upon a bier into the open field, near the place, where it is exposed to the fowl of heaven. When it is there decently deposited upon the ground, a particular friend beats the fields and neighbouring villages, upon the hunt for a dog, till he can find one out, and having had the good luck to meet him, he cherishes and entices him with a cake of bread, which he carries in his hand for that purpose, till he draws him as near the corpse as he is able; for the nearer the dog is brought to the dead body, the nearer are its approaches to felicity. And if the hungry cur can, by bits of cake, be brought so nigh the deceased, as to

to come up to him, and take a piece out of his mouth, it is then an unquestionable sign that the condition he died in was very happy, but if the timorous dog startles at the sight, or loathes the object, or being latterly well fed, has no stomach to that odorous morsel, which he must snatch out of the dead man's jaws, the case then with him is desperate, and his state deplorable. The poor man whom I saw, was, by these prognostics, very miserable, for the sturdy cur would by no means be enticed to any distance near him. When the dog has finished his part of the ceremony, two *Daroes* at a furlong's distance from the bier, stand up with joined hands, and loudly repeat, for near half an hour, a tedious form of prayer by heart, but with such a quick dispatch, that they scarce draw breath all the while, as if they had been under some inconceivable necessity of running over the words in such a time. All the while they were thus gibbling, a piece of white paper, fastened to each ear, across the face, hung down two or three inches below the chin, and as they ended their petitions, the *Halachos* took up the corpse, and conveyed it to the repository, which was near, all the company ranking themselves by two and two, and followed it with joined hands. The place of sepulchre is in the fields, within a wall, built in form of a circle, about twelve feet high, and about an hundred in the circumference, in the middle of which was a door of stone, about six feet from the ground, which was open to admit the corpse. The ground, within the walls is raised above four feet, and made shelving towards the corner, that the filth

and moisture, which are drained continually from the carcasses, may by an easy passage descend into a sink made in the middle to receive it. The corpse, therefore, was left here, and all the company, departing thence, betook themselves to a rivulet that ran near the place for ablution, to cleanse themselves from what defilements, on this melancholy occasion, they might have contracted, and retired afterwards to their proper habitations in the city, from whence this place is distant about a mile. But within the space of a day or two after, some of the nearest relatives return again hither, to observe which of the eyes of their deceased friend was first picked out by the hungry vultures, and if they find that the right eye was first seized on, this bodes undoubted happiness, if the left, they then are sorrowful, for that is a dreadful sign of his misery.

The Parsees are very nice in the preservation of their hair, and careful to preserve whatever is cut off their heads or beards, that nothing of it be lost or carelessly thrown about, but once a year be decently laid in their burying-place. A description of which, though it be dressed with nothing but horror, yet may here properly be inserted.

The burying-place of the Parsees is an object of the most dreadful, and of the most horrid prospect in the world, and much more frightful than a field of slaughtered men. It contains a number of carcasses of very different disagreeable colours and aspects. Some are seen there bleeding fresh, but so torn by the vultures that crowd upon the wails, that they resemble that of a death's head, with the eye-balls out, and all the flesh upon the cheeks

cheeks picked off. And on the fleshy part of the body, where the ravenous bird tasted a more delicious morsel, are eaten several large holes, and all the skin on every part is mangled and torn by the sharp beaks of these devouring creatures. Here was a leg, and there an arm; here lay half, and there the quarter of a man. Some looked as if they were partly jelly, others were hardened like tanned leather, by the various operations of the sun and weather upon them. Here lay one picked as clean as a skeleton; near that another, with the skin in some parts green, in others yellow, and the whole so discoloured, as if all within were putrefaction. A sight terrible enough almost to affright an hungry vulture from his prey. But these birds are most delighted with these dismal objects, and that noisome smell, which evaporates from the dead corpse affords a pleasant odour to their senses. The stench of the

bodies is intolerable, and of malignity sufficient to strike any man dead that would endure it, and yet the vultures chuse to sit to the leeward upon the wall, luxuriously to suck up and indulge their smell with these deadly foul vapours. Some of these glutton birds were so cloyed and crammed with human flesh, that they seemed scarce able to take wing, and the feathers of others were much mottled away, by this kind of rank feeding.

Besides the manner of burying, in use with the Parsees,* near Suat, there are other eastern nations who have peculiarly affected the entombing their dead bodies in animals. The inhabitants of Pegu reckon him happy, whose fate it is to be devoured by a crocodile. And the natives formerly, near the mouth of the Ganges, if weary of this life by sickness or old age, committed themselves to be devoured by the dogfish, as the safest passage to their future felicity.

Account of the HINDOO CITY of DHUBOY, situated to the northward of Baroach.

Dhuboy is an Hindoo city, that can boast of the most valuable remains of very remote antiquity. The fortifications which surround it, are nearly three miles in circum-

ference, and the ancient parts that yet remain, are constructed in an elegant and costly manner, being formed entirely of a beautiful hewn stone, having a covered piazza,

* Of this mode of burial, Sir JAMES MACINTOSH thus expresses himself.

"For nearly as the feelings, which produce this mode of disposing of the dead, approach to those which lead to the common practice of interment, there is, perhaps, none at which our habitual sentiments are more apt to revolt, but if our own mode of burial was a new practice, to be examined for the first time, it is not without circumstances abhorrent to their feelings, which might make it seem to be an obscure and gloomy imprisonment of the sacred remains of the dead."—"But a philosopher respects all the venerable forms of humanity, however various and unlike; he reveres in them all the attempts to carry affection beyond the grave; an attempt, vain indeed, for the secondary and paltry objects of animal existence, but which is not vain, as part of that grand moral discipline, which humanizes the heart of man."

za, supported by pillars and pilasters, that are formed of triangular stones, and are adorned by very curious sculpture.

The four principal entrances, or gates of the city, are yet more magnificently decorated, and exhibit a more expensive and valuable species of workmanship, particularly that which opens towards the east, this is called, by way of eminence, the gate of diamonds.

Many lacs of rupees were expended upon the decorations of this gate alone, and so great is the profusion of carved work and fine basso-relievos, that the most superficial and idle spectator, must of necessity be forcibly struck by its magnificent appearance.

Near the centre of this justly-celebrated city, a spacious tank, of the purest water, expands its broad and placid surface, which is adorned by several small but beautiful islands, bearing groves of trees, that are clothed by an eternal verdure.

This artificial tank is surrounded, for the greatest part, by flights of marble steps, which descend to the very bottom of the water. It was originally made for a reservoir, for the use of the inhabitants, and was formed at a vast expence. Notwithstanding it adorns the centre of a large city, containing many very considerable manufactures, the banks are ornamented by beautiful groves of mango, and tamarind trees, that suspend their luxuriant foliage and fruits over the reflecting surface of the tank, while all around trees of the same species are seen overshadowing the Hindoo pagodas, and splendid houses of the Brahmins, who are a very numerous class of people in Dhuboy.

Under the grateful shade of

these verdant canopies, the weavers fix their looms, and carry on various branches of the cotton manufacture; which, together with the surrounding objects, form a most pleasing and gratifying sight to a man who feels delight in the contemplation of earthly comfort, and of human happiness.

As the harmless inhabitants never persecute, or even molest, any part of the animal creation, the face of this beautiful tank is covered with large flocks of wild ducks, pelicans, and a variety of water fowl, which remain in perfect security, and feed unconscious of fear, while the trees are filled with peacocks, cranes, doves, and many other very beautiful birds; and thousands of monkeys jump about, and play their antic tricks, even on the very roofs of the houses. These animals swarm to such a degree, in the streets of Dhuboy, that they appear far more numerous than the other inhabitants.

The multiplicity of birds and monkeys, resident in Dhuboy, is owing to the universal protection that is afforded to them by the Hindus, who are the principal and most numerous inhabitants of the city; which is one of the most beautiful and interesting places in the east, and the appearance of so many animals, that in other places are wild, and will scarcely allow a stranger to approach them, but which are here so tame that they exist under the immediate power of the lords of the creation, forms a striking picture, and recalls to the mind of the spectator, the beautiful allegory of man in a state of innocence, when surrounded by all the monsters of the forest, and the various species of the animated creation, without

fear

fear of danger, or dread of persecution.

The site of this city is so extremely low, wet and muddy, that the stranger is astonished how its early founders came to fix at on so disagreeable a spot (when compared with the delightful situations that almost every where surround it) for the foundation of so famed a city. But on account of its origin, which has been carefully handed down to the present generation, and which is generally believed by the inhabitants to be true, at once explains the cause.

It is said, that *Ruttanalee*, the favourite of the emperor of *Guzerat*, after having been barren for several years, became, at length, pregnant, a circumstance which increased the natural jealousy of the other ladies of the harem. In apprehension of the charms of sorcery being practised upon her, *Ruttanalee* requested of her sovereign permission to go a considerable way into the country, until the days of her travail should be passed.

The king immediately consented, and ordered a very numerous and splendid retinue to accompany her, together with every necessary, and luxury, she might want, and with this magnificent equipage, she set out from the imperial city of *Guzerat*, in order to sacrifice at a distant, but sacred temple of the Hindu gods, situated on the majestic *Nerbudda*.

After a very long, and tedious journey, she arrived, about the close of the day, at a hallowed grove, about ten miles distant from the temple to which she was travelling, and which was situated in the very spot, where the city of *Dhuboy* now stands. The dews of the night falling around, and the light of the day gradually giving place, to the increasing gloom of dark-

ness, she ordered her camp to be fixed in the grove, for that night, intending to pursue her journey on the following morning.

While engaged in her evening devotions, in her own tent, an holy dervise, or fakir, who had long ago renounced all connections with the world and who had, for many years, resided in the recesses of that grove, in a state of religious retirement, arrived at her camp, and requested an immediate audience with the princess.

Being admitted into her presence, he informed her, that the place upon which she had fixed her tent, was sacred and unpolluted ground, and that, if she remained there, she would, in a very few days, be delivered of a fine boy, that should be the delight and support of his country.

Ruttanalee, who had, from her infancy, been taught to place implicit confidence in the predictions of holy men, instantly determined to continue in her present encampment, and dismissed the dervise with many protestations of regard, and great fervency of gratitude, for his favourable prognostications.

The holy man's prophecy was actually fulfilled, in a very short period, and the delightful *Ruttanalee* was delivered of a most beautiful prince, whom, at the particular request of the dervise, was named *Vifeldow*, or the long-expected child.

The happy news of the birth of a son was immediately conveyed to the imperial city, and so delighted was the monarch at these joyful tidings, that he instantly declared the young prince heir to the throne of *Guzerat* and being informed that his beloved *Ruttanalee* was charmed with the spot where she had been blessed, by the favouring gods,

gods, with a lovely boy, and was fearful of the jealousy of her rivals, at his court, and did not wish to return, he ordered a spacious tank to be formed, and sent skilful artificers, of every description, to build a large city, and surround it by strong fortifications, he also commanded the most eminent artists in his empire to decorate the new city, by every species of costly ornament.

Having collected together the most celebrated artists, from every part of his dominions, he placed them under the direction and control of one architect, a man of remarkable abilities, and exquisite taste, who had the good fortune to live till this extraordinary work was completed, which has not only immortalized his name, as one of the most mighty men that ever existed, but which has ever been considered, by the Hindus, as one of the most astonishing productions of one man's genius that the world has ever seen.

So many years were necessary to complete this immense work, that, by the time it was finished, the young

prince, who had been born on its site, had succeeded his distinguished father, as monarch, or rajah, of Guzerat, and he was so much pleased with the place of his nativity, that he made it the seat for those artists who had survived the undertaking, he gave them valuable presents, as tokens of his royal appreciation, but wishing onward the man, to whose very superior talents the city owed its greatest beauty and chief advantage above the rest, he desired him to name any reward for his services that he could bestow, and he should immediately have it.

The artist replied, that, being happy in the honour from of his sovereign, he wanted neither money nor jewels, but, as the place was yet without a name, he should deem it an high honour, and an adequate reward, for his labour, if he might be permitted to give it the name of his own, which was Diaboy. The prince immediately gave his consent, and it ever has retained the same name, even unto this day.

MALACCA

The following description of MALACCA is given by an English voyager, recently employed in an Eastern survey.

THE fort walls of Malacca were built by a colony from China, at least three hundred years before the Portuguese got possession of it, (1512)

The walls are by no means so strong as is generally thought, but they serve to strike a terror into the Malays, who have a superstitious veneration for them, as some are said to worship the devil from fear. The works are now preparing to

be blown up, mines are excavated along the side facing the sea, some of which are charged.

Two were exploded, with great skill and precision, on the 16th October last, 1807. The wall was torn down completely on both sides with a very trifling explosion, and without injuring a building or a tree.

The country round Malacca embracing a circumference of eight or ten

ten miles, from the fort, is a pleasant and most productive spot.

The rising grounds are barren and rocky, and the activities have been used by the Chinese for places of sepulture.

Redoubts are also raised on the Bocca China and St John's. On the sides of the hills are innumerable trees, of a variety of species, including the saphaee, areca, or beetlenut tree, and the fences of their fields are bamboo, rattan, acacia, &c.

Since the British took possession of the place, in August, 1795, the valleys produce rice and sugar-canes in great abundance, the cultivation of which, under a settled and permanent state of government, might be much extended.

The pulse and fruit brought to to the bazar for the shipping are produced in the gardens of the families, whose small houses and gardens, left them by their ancestors, supply the only means of their subsistence.

The revenues brought to the company 80,000 dollars a year for

land, rents, taxes, and the customs. The customs are farmed, and there is a considerable trade with the Buggees from Bouneo, in the season between the monsoons. They also trade with Sumatra, Rhio, and many of the rivers of the Peninsula, both to the E and W. and have frequent communication with Java, whence they receive teak wood, pepper, &c &c. and they get spars fit for masts from Siack and Arroë; but these growing in a low marshy country are of inferior quality. In the river, which runs close by the fort walls, small vessels, (120 tons) have been built. They have good timber, including what they get from Samarang or Java, and intelligent carpenters. Under the lee of the island, nearest to the fort, they have a kind of harbour, where, in the S W. monsoon, they can carry and secure vessels drawing sixteen feet.

The cultivators, sugar-makers, distillers, and farmers of the customs, are Chinese.

Memoranda, given by DR. WALKER, professor of Natural History, Edinburgh, to a young gentleman going to India.

1. To be provided with a good Fahrenheit's thermometer, inclosed in a glass tube, that can be laid in water, for taking the heat of the sea in different latitudes, and especially for taking the heat of springs in India, whenever you may meet with them.

2. To be careful to pick up at sea, all sea-weeds, and marine animals, that come within reach of the ship, and to dry and preserve them in paper or otherwise.

3. To be attentive to all birds that are to be seen from the ship; to mark the English, or other names, by which they are known among the sailors, and the latitudes where they first appear and disappear.

4. To keep a regular journal from day to day, including the above, and all other observations in natural history, that may occur, particularly any remarkable appearances in the weather, respecting

ing the winds, rains, thunder and lightning, calms, tornadoes, whirlwinds, or water-spouts.

5 To notice the alterations in the colour of the sea, and, if possible, the causes from whence they proceed; especially the colours proceeding from minute animals, with a description of these animals.

6 On approaching the Cape of Good Hope, the Cape pigeons, or pinto birds, are numerous: it would be worth while, if opportunity offers, to preserve one or two of them by stuffing their skins, and to mark what distance from the Cape they are first seen, and when they first disappear.

7 The head, jaws, or teeth, of the different species of sharks, that may be caught upon the voyage, to be preserved.

8. Also the different flying fishes.

9 It is much to be wished, that one of the small fishes, which always accompany the blue shark, called the pilot fish, might be caught and preserved.

10. Wherever the cable or sounding line is used, it should be carefully examined, when hove into the ship, as there are frequently found curious animals adhering to both.

11 Between the Cape and Madagascar, and in other parts of the India voyage, various sea-animals can be easily taken on board, such as what the sailors call Portuguese men of war, and others, to be preserved, if possible, in paper or in spirits.

12. If the ship touches either at Madagascar or the island of Johanna, there are many curious fossils, plants, and animals, which may be preserved.

13 At Bombay many interesting articles may be obtained,

which are there articles of commerce, from Surat and the Gulph of Persia.—Drugs, the different gums and resins, the largest pearl oysters, or mother of pearl, and tortoise shells; the sandalum album, or white sandal wood, and ebony: the fine red Persian ochre, called at Bombay *Indian red*. the skins of the zebra, Persian lamb-skins, jackall, leopard, panthers, and other Asiatic quadrupeds; also the horns, and, if possible, the heads, of the different antelopes and gazelles.

14 At Bombay, Madras, and Calcutta, to collect specimens of every fossil, even of the most common, that come within reach. To visit often the shops of the lapidaries, where all the finest lethidia, chalcedony, cornelia, onyx, sardonyx, agate, mocho, &c. are cut in great quantities, and sold very cheap.

15. To enquire at Madras concerning the cochineal discovered by Dr. Anderson, and to preserve and send home the species of grass on which it feeds.

16. At Calcutta, to preserve good specimens with the flower of all the important plants of the country, and as much of their history as possible.

17. To be attentive especially to all the productions of China which may be brought there, whether fossil, vegetable, or animal.

18. To collect at Calcutta, shells, corals, corallines, sponges, and other fine marine productions, which are brought there from all parts of India.

19 To collect all the fine insects, wherever they occur. Fine collections are to be purchased at an easy rate. I should particularly recommend preserving them in paper books, in preference to preserving

preserving them loose, or upon pins. The fresh insect may be placed in folds of paper, and pressed, for a day or two, with a sufficient weight, when they will be dry and sufficiently prepared; even those which have been pre-erved on pins, when put for two minutes in spirits, may then be pressed and dried in the same manner.

20 To inquire particularly at Calcutta concerning the great quadrupeds, called, by the English, a buffalo, but by the natives the arnee. It does not come lower upon the Ganges than about the plain of Plassey. It is said to be about fourteen feet high, and is a superb animal, whose history is as

yet unknown in Europe. As also every particular that can be learned concerning the Chittagong cows, whose tails are used as fly flaps in India.

21. To pick up, as often as you can find them, skins of all quadrupeds, especially those animals noted for any valuable peculiarity, being very careful to mark down as many particulars respecting their natural history, as you can learn and the uses that are made of them in their economy or arts. These skins, if dried, and laid back to back with some ground pepper between them, and a few small grains of camphor, may be easily brought safe to Europe.

CHARACTERS.

Biographical Memoir of CAPTAIN GEORGE NICHOLAS HARDINGE, late of his Majesty's Frigate, SAN FIORENZO.

ON reading and admiring the most brilliant, and, alas! the last, exploit of this gallant officer, recorded in the earlier pages of the present volume, the editor had resolved on searching for materials for a short memoir of his life, intended as a final tribute to departed heroism, and as a stimulus, if any were wanting, to youthful daring and achievement. After some success in his research, and progress in his ultimate relation, he discovered that he had been anticipated, both in his design and in its execution, by a pious and affectionate care, directed—how rare the example!—by equal judgment and taste. The Editor of the *Asiatic Register*, desirous to add a single novelty or grace to the *Character*, which he was desirous of delineating, adopts the following most happy likeness of the hero, taken from near observation, and a yet closer study of the subject represented. It was first exhibited in the *Naval Chronicle*, of which it is no mean praise, among many other commendations well due to it, to say—that it produced this original article of biography.

“ ———— As gentle as the zephyr
Below the violet,—and yet as rough
As the rudest wind that by the top doth take
The mountain pine, and make it stoop to th’ vale ”
SHAKESPEARE

OF this naval hero's life no historical record will or can be exempted from that pride of the historian who knew him the best, which the hero deprecated in the partialities of those he loved, and who loved him.

Pride he certainly possessed, but it was of the noblest kind; it prompted him to disdain a mean act, or a selfish thought. But no gallant spirit was ever more elevated above the vanity of self-applause

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He was even so modest as to give himself no credit for the sentiment, or the habit, of that modesty itself, as a virtue.

It shall be my ambition to give a picture of him, and from the life, under the discipline of that check upon my own pride, though such a love as I bore to him neither hopes nor wishes to be disinterested, but zeal for the genuineness of a character so dear to me would be mis-calculated, if it could violate those principles

principles of honour which it was the uniform habits of his life to revere.

It will not fail to be observed, that I have departed from the usage which has confined these memoirs to naval incident and character; yet I am not without hope that it will be forgiven, if the moral and social features of the same portrait are not only interesting, but cannot be separated from the naval picture without prejudice to its effect and spirit.

I may also be accused of dwelling upon some of these personal topics, when they are too minute for an epitome like this. But here again I shall feel no despair of indulgence, if it shall appear, as I think it will, that every such detail throws a new light upon essential features of the character.

George Nicholas Hardinge was born upon the 11th of April, 1781, at Kingston-upon-Thames. He was the second of many sons, to the Rev. Henry Hardinge, now rector of Stanhope, in the county of Durham, then vicar of Kingston. His mother is a daughter of the late James Best, Esq. of Boxley, and of Chatham, in Kent.

Henry Hardinge is the second of three (surviving) sons to the late Nicholas Hardinge, Esq. of Canbury House, near Kingston-upon-Thames, who was, for several years, first clerk to the House of Commons, and, at a later period, became joint secretary of the Treasury, in which post he died, A. D. 1758.

Jane Hardinge, his widow, sister of the late Earl Camden, survived her husband for almost half a century, and closed her interesting life in her 89th year, May 17, A. D. 1808.

George Hardinge, Esq. one of the judges in Wales, and her Ma-

jesty's attorney-general, is Henry's eldest brother. He was godfather to this nephew, and adopted him, when a child, into his own family. With his brother Henry's consent, he took upon him the parental office of educating his favourite, and sent him to Eton school at the age of nine or ten years. He designed him for his own profession of the law.

In this early period his parts, though bright in some views of them, were, in general, more lively than solid, and almost in the same proportion that he was admired for his wit, he was deficient in learning, or in the memory of serious impressions. He was averse to all study, and gave no promise, either of talents, or of ambition to acquire useful knowledge.

But his countenance was uncommonly beautiful, and his manners, (though undisciplined) were so prepossessing, that he was, perhaps, too general a favourite. His uncle has confessed, that "he loved him in those days, *not wisely, but too well.*"

He had a peculiar turn for humour, and made acute remarks, though in a desultory manner. But in those early and playful habits, none who saw much of him, could fail to discern a character of independent spirit, and that affectionate warmth of heart, which became, in the sequel of his life, a ruling principle of its character.

He was, however, too ungovernable, and was too much his own master, to encourage the hope that he would acquire stability enough to cultivate his talents for learning of any kind, if he possessed them; a point upon which doubts were entertained by some of his relations, indeed by most of them, but none by the writer of this memoir.

At

At the age of eleven or twelve, he took up and pursued a most violent impulse to the sea. It arose in part, from conversations, when at home, with his uncle Richard, now Sir Richard Hardinge, Bart then a captain of an East Indiaman; but it commenced in the advice, rather playfully than seriously intimated, by Sir John Borlase Warren, who saw him, accidentally, at Eton school, and assured him, that "he was better calculated for a naval hero than for a lawyer." It was, however, attributed, in part, by his relations, to a dislike of school and of learning, which had become disgracefully obstinate.

Under that last impression, before the lot was determined, they reasoned with him in a dispassionate and serious manner, by laying open to him, without reserve, the subordination, the labours, and the perils of the naval service. He persevered, and was firm to his text. He made this element his deliberate choice, in a tone of such manly and reasoning spirit, that he carried his point with flying colours.

He became, in 1793, a midshipman on board the *Meleager*, Captain Charles Tyler, now the rear-admiral of that name, an officer as much revered and beloved as the naval service could ever boast, a man of perfect honour, and of the most engaging manners, who combined in his character the hero and the gentleman.

The writer of this memoir accompanied the new officer to a parting dinner, at a whimsical inn, (quite new to him) the Golden Cross, Charing Cross. In the midst of the repast, his young friend's naval hat was brought into the room. He left the table to put it on, presented himself to the looking-glass, and *could eat no more*.

† Ss 2

This was naval pride, it was not personal vanity.

It was to the animating and graceful example, as well as the parental solicitude of his captain, that his relations have ascribed the wonderful change which five years produced in the colour and stamp of his mind.

He was to accompany that experienced, able, and spirited officer, Lord Hood, into the Mediterranean, as part of his fleet. This was another and peculiar advantage to his naval school.

At first, even after he had thus embarked in the service, and with such avidity, he took a dislike to it, (with caprice like that of boys, and especially those who have been so indulged,) he complained of it peevishly, and wished himself at home again, that is, he wished himself—not more admired and caressed, (for so far he found the home which he had left, in the ship itself,) but less controlled. But when that (fugitive) impression was obliterated from his mind, by the affectionate, though firm, conduct of his *naval parent*, and when that mind began to explore its own powers, the character of it was *new made*, it became distinguished, not by courage alone, but even by talent, engrafted upon the habit of diligence, and upon a high spirit of ambition to excel, which opened the dormant resources of an admirable capacity. I remember that he said, at an early period, "I had rather serve under a captain or an admiral of a marked character, than make a fortune early or late in the common routine. I have an ambition to see great abilities near me, in hopes to improve myself by observing them." He made himself an adept in the tactics of his profession—he loved its enterprize, and

and he encountered all its perils with a naval hero's disciplined valour.

This reminds me of a conversation which passed a little before he sailed, between him and one of his relations.—“You hate all study, and you love to have your own way: how comes it, that you have chosen the sea, where, if you don't study and if you don't give up your own will to your superiors, you will make no figure and be disgraced?”—“I hate all study at school, and would never have learnt a thing, if I had been left at home; but, if I *must* read, and *must* be governed *at sea*, to be a gentleman, I *will* read, and I *will* be governed.”

He remained in actual service, almost unremitted, for those critically interesting years of his life; a part of it was occupied in the noble and important assistance of Lord Hood, in the naval armament against him, to the Corsicans, A.D. 1794. Upon the occasion of those incidents, he wrote a letter, still preserved by his correspondent, in which he gave a lively, but at the same time an able and luminous report of the enterprize. It was accompanied by a rough but spirited sketch of a naval manœuvre, in elevating cannon from the ships to an eminence of stupendous height, upon cliffs almost perpendicular. In this letter he first marked the peculiar eloquence of style, upon serious topics, which never deserted him in the sequel of his life. Many of his letters to his friends are beautiful compositions.

Mr. Pitt saw the letter from Corsica, was delighted with it, and said, that “it was a most ex-

traordinary performance at so youthful an age.” Indeed, of an earlier date was a letter of his pen conceived and expressed in a manner very superior to his time of life, and in the same line of description, with a difference that marked something better than style or spirit—the compassionate benevolence of his nature. It was a most pathetic recital, of an accident that befel the Alcide, after she had struck to our fleet: she caught fire, and could not be saved. The men jumped overboard by hundreds, four hundred at least were either burnt or drowned: the sea was covered by dead bodies, and she then blew up in a most tremendous manner. All our ships put their boats out, in hopes to save those who were alive and clinging to the wreck. Those who were caught up in time, and were taken on board, were so overjoyed as to fall into fits, and when they had recovered, could not find words to express their gratitude. Under such examples he learnt humanity, as well as courage.

Before these Corsican adventures took place, the Melager had not been idle or obscure. She was the first that sailed into the port of Toulon.

In Corsica, the services of Captain Tyler were so distinguished, that when la Mineive, a 40 gun frigate, had been captured, had been sunk, and (chiefly by his exertions) had been weighed up again, the command of her was given to him.* She acquired the name of the San Fiorenzo, in honour to the Corsican town and fort of that name. To that newly-acquired vessel the midshipman was transferred.

Who

* This was in March, 1794.

Who can abstain from a tear, when told, that he had *then* reached half the period of his life:—that he was doomed, in his 27th year, to fall as the commander of that identical frigate, in a distant sea, in a distant quarter of the world, and in a victorious conflict, "*Second* (as General Maitland observes) *to none that our annals can lose*."

Having passed the remainder of that year in the *San Fiorenzo*, he served, under the same captain, who never could part with him, on board the *Diomedé*, a 64. In 1795 she formed a part of Sir William (now Lord) Hotham's fleet, and was engaged in the action which had the effect of cutting off the *Canina*, of 80 guns, and the *Censeur*, of 74. The success of that enterprise was partial: but this defect arose from the enemy's conduct, who, though in a full state of preparation, would not meet our squadron, which had undergone the severe discipline of its Mediterranean service: yet had courted them to a battle, which they declined. The naval conduct on our part was honoured by a vote of thanks in both houses of Parliament.

Our midshipman had served in other actions prior to this. In the very first of them his captain used these memorable words—"My two *loys* behaved like veterans." The other "*loy*" was Roger Savage, now a post captain. They were bosom friends, and both of them reflected honour upon him, who loved them as if they had been his own sons, and was loved as a parent by them.

A little anecdote may be here related, as tending to display the character of the youthful hero. While in the Mediterranean, he met with an accident, which he

related in the margin, at the end of a long and amusing letter to one of his relations, and the marginal addition written in a hand so diminutive as with difficulty to be read—"By the way, I forgot to tell you that I have lost the joint of a middle finger, by an accident in returning to the ship."

When upon the Italian coast, and at rest from active service, he enjoyed the peculiar advantage of going on shore to Naples, where Sir William Hamilton (one of the most courteous and accomplished of men), received him in a manner the kindest imaginable. He took the opportunity of these and of similar excursions, to furnish his attentive and curious mind with an ample store of general knowledge, of experience, and of discernment into the characters of men, very singular in his profession, and at his age. He acquired even a taste for *the arts*. Having a most powerful memory, he retained with clearness and precision whatever images had glanced upon him. At other times, and on board, he had read modern history, and had become so versed in it, as never to be at a loss in recurring to its prominent features and revolutions.

He returned home to England in the spring of 1798, before he had reached his eighteenth year; and such an improvement was never achieved by that glorious element, the sea. Instead of the volatile, the undisciplined, rude, and childish boy, he returned, a youth, full of high spirit, but unassuming, discreet in his behaviour, pleasing in his manners, affectionately benevolent, remarkably sensible, and well informed.

His countenance, and even the cast of his features, had become so entirely changed, that not a soul would

would have known him to be the same, by a shadow of resemblance in the man to the boy. His relations playfully called him "*the impostor*," and he took the name he sometimes varied the description, and signed, *Mahomet*. His manners won every heart. Though his uncommon beauty when a boy was no longer to be seen, it left him the better substitute of a most interesting countenance, which united the character of animated sense to a benevolent expression, the faithful interpreter of an affectionate and glowing heart.

He was not on shore above a month or two in England, before he was called into naval service again, but under the same captain, on board the *Angle* frigate, and (with his friend *Savage*) accompanied him in his way to the east. Upon the Isle of *Planes*, off the African coast, he was wrecked, on board that frigate, and barely escaped with his life. He wrote an account of this calamity, in a tone of modest and Christian heroism, which gave the unequivocal impression of a serious and well-disciplined courage.

He was for a little time shifted on board the *Excellent*, and then received as an occasional guest by the Earl of *St Vincent* (his commander-in-chief), who took what is called a fancy to him, conceived a partiality for him, and marked it in the most playful manner. "Your uncle," said he, "has recommended you to me, but never mind him, and when you are asked who you are, say, you are my son." These partialities, if they must be so called, of that acute and sagacious mind, had the felicity, in general, to be so well

placed, as to look very like prophetic discoveries of anticipated genius and spirit in his favourites.

He detained him but a little time, and in order to furnish a better opportunity for enterprise, placed him on board the *Theseus*, Captain *Miller*, who perished at the siege of *Acie*, universally regretted. Our hero was in the very ship at the time of its fatal explosion. He was going to the cabin—a few steps further would have made him another victim of that awful and lamented catastrophe. During this memorable siege, which recalled the days of chivalry, he was employed in the command of a gunboat, and was honoured with public thanks by the hero of that brilliant service. He was, after the loss of Captain *Miller*, for some little time on board the *Tigre*, Sir *Sydney Smith*, and was off *Alexandria* when he received his commission as lieutenant*. On account of this rank, and of his local services upon that coast, he was honoured with a gold medal.

He was then ordered home, and put on board the *Foudroyant*, as a supernumerary lieutenant. There he took part in the celebrated action with the *Guillaume Tell*.

Upon the 22d of March, 1801, we find him at *Minorca*, on board the *anta Teresa*. At that time it appears that he solicited from Lord *Keith* a first lieutenant's appointment on board a war sloop, named by himself. Lord *Keith* promised compliance with his request; if he chose to remain in that part of the world, but acquainted him, that Lord *Spencer* had wished him nearer home, at the request of his friends. In consequence of that hint, of course, he returned, but more

* It was dated the 15th of October, 1800.

more and more improved in the wisdom of professional experience, and the discipline of public spirit

The same Captain Tyler, whose punctual and sacred fidelity in early days induced him to complain of *the boy*, gave the highest character of the *man*, to the writer of this memoir, and represented him as *then* equal to the command of a seventy-four

Soon after his return, a fortunate accident presented him to the notice and friendship of a lady, in the circle of his connections, than whom none of her sex was ever more accomplished, and more acute in the discernment of character, more polished by elegant manners, and more endared by the moral graces of the heart

A letter of her pen gives, in the most eloquent colours, a picture of his young friend, as drawn by her, 1801. It must not be withheld from the reader, nor the unequivocal test of its fidelity, in the resemblance, marked by a *second portrait* of him, which the same glowing pencil has recently touched, and without a conception that we had kept the *first*.

(COPY)—1801.

"You want my opinion of George, and I am happy to give it you. I have had much conversation with him, which has enabled me to discover his merits, for he is very modest. He appears to more advantage when he is known.

"As far as I could judge, he is remarkably sensible, and blessed with a powerful steadiness of understanding, like that of his grandmother; he has an excellent command of language,

when he is quite at his ease, and very uncommon clearness of apprehension: he has the occasional embarrassment of diffidence, and appears to have entertained the opinion, that he wants the polish of manners to render him acceptable; but in my judgment he is more interesting, upon account of this very defect, as far as it extends. He has quite lost that style of delicate beauty which he possessed when a boy, which alarmed me for him, and which now would ill become so manly a character. but his admirable heart glows in one of the finest countenances I ever beheld. For wit, I think, he has more of habitual admiration than of natural taste, for he is of a serious and rather a contemplative turn,* though he has a fund of animal spirits to enliven it.

"As to his principles, they are imitable: he has been tried in the first and severest probation of his virtue, but he has profited by it, for his eternal welfare

"In Italy he acquired a real, though manly, taste for the arts, and seems to have lost no opportunity of making himself acquainted with every circumstance worth his knowledge, in the various countries which his professional duties, or, I should rather say, his excursions from them, have enabled him to visit. He has inherited the *family talent*, and his memory is like a charm in its powers; nothing escapes from it

"These gifts and these attainments have made him a very interesting companion; and I never have regretted any thing more in my life than our separation: but he will have my good wishes through every future step of his career.

"I can assure you, that he is a just object of all the love you can spare to him, and that you cannot love him so much as he loves you."

This was in 1801, before he had signalized his naval heroism in the command of a ship, though he had even then marked his genius and his courage.

* I never adopted that opinion, but I could account for it, as entertained *by her*; for as he revered her, and as her spirits, naturally cheerful, had received a more serious cast from the loss of a dear friend, I have no doubt that from delicacy to her, he was upon his guard against the unseasonable indulgence of this propensity *with her*. Attentions like these were familiar to him.

Her

Her letter of August, 1808, since we knew we had lost our hero, will in the coincidence of many features, authenticate the good faith of the entire portrait, though with different shades, arising from different views of the life it copied.

August 1808

"I had the good fortune (and I tell it still by that name), to pass a week in his charming society and I was much alone with him. I discovered in him then, as I do at this present, I presume to judge, a depth of mind under tanning, which resembled that of the late Mrs. Harcourt, who lives in all our memories—engaging manners—a high sense of honour in every thing—a noble way of thinking, and a noble way of conduct, beyond any which I had ever observed in a human creature especially at his age. His excellent capacity had been improved by a fund of general knowledge, very singular I believe in his profession. His temper was gentle, and his heart was no less affectionate than it was elevated by the heroism of public spirit."

In 1812 he made a tour with a relation to the Lakes, and made friends of all to whom he was introduced as a *guest*. If the reader could have seen their expressions of regret, he would have supposed them relations, or attached by the habits of a most affectionate intercourse. He was the joy and pride of almost every heart that he found in his way.

Amongst them was the Bishop of Llandaff, who was delighted with him, and formed a very high impression of him, not as a hero, but as a young man of enlightened intellect, and of an open heart.

A circumstance recurs to me, which appears to be worth relating, as it marks the powers of memory, and of observation, familiar to this youthful scholar, entirely self-

taught. He was no Latinist, but he had picked up in translation many interesting passages of the Latin poets. One day, the bishop made a remark upon the oak, and his young visitor asked him, with blushing humility, "if it was true, as Virgil said, that an oak rose above the earth, in preparation to the depth of its root?" The Bishop turning from him to his relation, said "That young man has a very intelligent mind, he has read Virgil to good account, and as every book *should* be read." His relation smiled, and said, "My lord you'll think him an impostor, if I don't undeceive you, he has read no Virgil, but in Dryden."

This admitted prediction upon the subject of his death will be annexed.

Earl St Vincent had become first lord of the Admiralty. He retained his predilection for the midshipman, though he had never met with him since they parted in the Mediterranean. But he justified the impression which he had formed of him (in that short and fugitive intercourse) by a marked *éloge* upon him to me, as resulting from what he had recently heard of him, as well as from his own comments upon him when they had been at sea together. He called him a "*noble creature*," and said, "if I live, and keep my office, he shall not complain that I desert him!"*

What an amiable picture of encouragement for youthful enterprise, and of countenance to inferior officers! Under impressions like these, when I had scarcely any acquaintance with him, and solicited by no political interest, he obtained for him, in May, 1802, the rank of master and commander,

* Like an affectionate parent, he kept him close to the habits of the service, and *whipped him up*, as he expressed it himself, to a ship. It was the *Sirius*, Captain King, of Plymouth.

der, which he followed up with an appointment, as captain of the Terror bomb, in March, 1803.

He had scarcely been fledged in this command, before he made himself the favourite of Captain Owen, whom to name, is to supersede the necessity of recording his talents and spirit. Under that enterprising officer he had the honour to serve, and spoke of him in the most glowing terms of panegyric. I cannot forbear in this place to give a little specimen of his youthful style, in its comic playfulness. In one of his letters to a sister, whom he loved beyond expression, he marked at the same time his contempt for gasconade, and his turn for humour. It was meant as a banter upon some of the gazettes. After he had paid (in a serious part of the same letter) just homage to this admired officer, he adds the following *report*:

(COPY.)

Terror, off Boulogne, Aug. 1810.
We have knocked a few houses down—
—— Killed—fifty or sixty old women!
—— Lost—all our crockery and glass!
Deafened by the mortars for a week!

The Captain of the Terror.

But in the following September, he signalized his valour, skill, and judgment, under that accomplished and most able officer, Sir James Saumarez, who, in the *London Gazette* of September, 1803, spoke of him in the following terms:—"The various services on which Captain Macleod, of the Sulphur, and Captain Hardinge, of the Terror, have been employed, have been already sufficiently known: but I will venture to assert, that in no one instance could they have displayed greater

zeal and gallantry than on the present occasion."

It is evident, from the admiral's allusion to the *former* services of Captain Hardinge, that he had *then* obtained a high character.

The Earl of St Vincent was much pleased that his favourite had begun so well. In a letter to a relation, dated September 24, 1803, the captain says that " * * * , who never loses, for a moment, the sight of his interest or of his credit, has received a letter from Earl St. Vincent, which honours and gratifies him by making, in the kindest manner, that he is affectionately interested for his welfare."

It happened, that by these exertions in the attack upon Granville, the Terror became so crippled, as to be of no farther use for active and foreign service: she was turned, as he expressed it, into a *sea watchman*, being only used for signals.

Before he had acquired this notice in the Gazette, and before he had served under Captain Owen, he had been stationed off Ramsgate, when the Princess of Wales passed the summer there. Her royal highness honoured him with her countenance and protection, which at a later period was renewed in the most gracious manner. These obligations were conferred upon a mind in which the memory and grateful sense of them were never obliterated.

At a late period of 1803, or in January, 1804, he was appointed captain of a newly-built sloop of war, the Scorpion, of 18 guns.

Here two circumstances deserve to be related.—(1) the captain, when serving on board the Terror

as

* The circumstance to which the letter of Sir J. Saumarez relates, was the bombardment of Granville.

as a signal ship, had very often heard of this vessel, as a favourite of many competitors. He told his relations (in his playful style) how "*desirable*" she was; and would often say, "*that he dreamt of her*." One of them, who was *upon the alert*, applied for it, and was told by Lord St. Vincent, "that he could not gratify him by giving him that ship at *his* request, inasmuch as it was pre-engaged, and was intended for *Captain Hardinge, of the Terror*." With such playful manners he improved, by seeming to lessen, the value of the gift. He added, "that no hint of it was to be given, till the appointment could be officially notified." This injunction was obeyed, and the (*enamoured*) captain had begun to despair, when he had in fact obtained his prize.

(2) Though delighted with his acquisition, he was averse to the North Sea, and he desired his relations to obtain for him, if they could, any other destination. They would not gratify him, or even make his request known to his patron. This want of courtesy to his claims upon them had a most fortunate result for his credit and for his advancement. It marks the wisdom of accepting without reserve, and without hesitation, whatever naval appointment happens to be offered.

I shall enliven the narrative, and give a picture of his comic style, and of his manly character. Perhaps it may not be impertinent here to give his own words, because they mark the humour, as well as the disciplined spirit of his mind—"You have misunderstood me if you think I can hesitate or complain, or 'intimate undue preferences,' which are your words: what

ever scene of action or of tamer service may be destined for me by superiors, I know that some are to accept these duties, and must of course, expect them as well as my neighbours. But as to wishes or preferences of taste, we must all of us have them as well as *Archer*, who did not like *pig*—If *Tamerlane* should come to us that way, I should like this very scene the best."

He had scarcely arrived off the Texel, under Admiral Thornborough, before he captured the Dutch war-sloop *Atalante*, under circumstances of such heroism, ability, and persevering spirit, that he was expressly made a post captain for it, and obtained a sword of a hundred guineas value, the almost immediate gift of the committee at Lloyd's coffee-house*.

The letter of Captain Hardinge to Admiral Thornborough was of *Spartan* brevity, but in an epistle to one of his relations he gave scope to his feelings. I am happy to supply this popular and circulated record of naval characters with a copy of that most affecting picture. The person to whom it was addressed, has often said, "*that he ought then to have died of his joy*." But he was reserved for more laurels of the hero whom he loved, and for the doom, to survive—not *them*, for *they* are living—but the hero himself, who, except in his fame, breathes no more. It must not a little interest the reader's pride, as an *Englishman*, that such a letter as that of Lord Keith should have been written. What an encouragement is there given to youth, valour, and modesty! How is the policy of the service improved, since the rigid asperities of the naval

* Captain Hardinge was made post on the 10th of April, 1804.

naval character, in men of such high professional rank, has been thus exchanged for the delicacy of those attentions to the rising fame of a gallant spirit ! It was in Lord Keith an impression of the moment, as attracted by the humble and silent claim of a boy in years, to whom he had no personal attachment, or to any of his connections —

"Although," said his lordship, "the brilliancy of this service can receive no additional lustre from any commendation it is in my power to bestow, I obey the dictates, both of duty and of inclination, in recommending the distinguished services of Captains Hardinge and Pelly, and of the officers and men employed under them, to the consideration of their lordships, who will not fail to observe the delicacy with which Captain Hardinge refrains, in his narrative to Admiral Thornborough, from any mention whatever of himself; nor to recollect, that Captain Pelly was promoted to the rank of a commander, in consequence of his having been severely wounded, in the performance of his duty before Boulogne."

The letter of Admiral Thornborough is penned in the same kind and liberal spirit.—The following is Captain Hardinge's letter to his friend.---

(COPY)

"Scorpion, April, 1804

"My ever dearest Friend,

"I am on my way to the Nore, after six days of severe, but unrepented fatigue, and have sixty Dutch prisoners on board. We are accompanied by the *Atalante*, a Dutch war-brig, of sixteen guns, prize to us.

"I was ordered on the 28th to reconnoitre at Vlie, and perceived a couple of the enemy's brigs at anchor in the roads—despairing to reach them with my ship, on

account of the shoals that surrounded the entrance, I determined upon a dash at the outermost one in the boats, if a good opportunity could be found or made. It came, unsolicited, March 31. Preparing to embark, we accidentally were joined by the *Beaver sloop*, who offered us her boats, to act in concert with ours: we accepted the reinforcement, under an impression, that it would spare lives on both sides, and would shorten the contest. At half past nine in the evening, we began the enterprize. Captain Pelly, an intelligent and spirited officer, did me the honour to serve under me, as a volunteer, in one of his boats. We had near sixty men, including officers, headed by your humble servant, in the foremost boat. As we rowed with tide flood, we arrived alongside the enemy at half-past eleven. I had the good fortune, or (as by some it has been considered) the honour, to be the first man who boarded her. She was prepared for us, with board-nettings up, and with all the other customary implements of defence. But the noise and the alarm, &c. &c.† so intimidated her crew, that many of them ran below in a panic, leaving to us the painful task of combating those whom we respected the most.

"The decks were slippery, in consequence of rain, so that grappling with my first opponent, a mate of the watch, I fell, but recovered my position, fought him upon equal terms, and killed him. I then engaged the captain, as brave a man as any service ever boasted; he had almost killed one of my seamen. To my shame be it spoken, he disarmed me, and was on the point of killing me, when a seaman* of mine came up, rescued me at the peril of his own life, and enabled me to recover my sword.

"At this time all the men were come from the boats, and were in possession of the deck. Two were going to fall upon the captain at once. I ran up—held them back—and then adjured him to accept quarter. With inflexible heroism, he disdain'd the gift, kept us at bay, and compelled us to kill him. He fell, covered with honourable wounds.

"The

† This &c. &c. is full of character.

* He thought so when he wrote, but it proved upon inquiry to be a mistake. Mr. Williams, the master, had this honour, and was proud of it. Captain Hardinge desired him to accept the sword he had used in the enterprize.

† This would make a subject for a picture.

"The vessel was ours, and we secured the hatches, which, headed by a lieutenant, who has received a desperate wound, they attempted repeatedly to force.

"Thus far we had been fortunate, but we had another enemy to fight: it was the element, a sudden gale, had shifted against us, impeded all the efforts we could make, but as we had made the capture, we determined, at all events, to sustain it, or to perish. We made the Dutch below surrender, put forty of them in their own irons, and stationed our men to their guns, brought the powder up, and made all the necessary arrangements to attack the other brig. But as the day broke, and without abatement of the wind, she was off, at such a distance, and in such a position, that we had no chance to reach her. In this extremity of peril we remained eight-and-forty hours.—Two of the boats had broken adrift from us, and two had swamped alongside, the wind shifted again, and we made a push to extricate ourselves, but found the navigation so difficult, that it required the intense labour of three days to accomplish it. We carried the point at last, and were commended by the admiral for our perseverance.

"You will see in the Gazette my letter to him: I aimed at modesty, and am a little afraid, that in pursuit of that object, I may have left material facts a little too indefinite, if not obscure.

"The *Atalante's* captain, and four others, are killed; eleven are wounded, and so dreadfully, that our surgeon thinks every one of them will die.

"To the end of my existence I shall regret the captain. He was a perfect hero; and if his crew had been like him, critically, indeed, would have been our peril.

"The *Atalante* is much larger than my vessel, and she mounted sixteen long twelve-pounders: we have not a single brig that is equal to that calibre. Her intended complement was two hundred men, but she had only, as it happened, seventy-six on board.

"I expect your joy by the return of post—ever affectionately and gracefully yours,

"G. N. HARDINGE.

"P. S. In two days after the captain's death he was buried, with all the naval honours in my power to be done upon him. During the ceremony, of his inter-

ment, the English colours disappeared, and the Dutch were hoisted in their place. All the Dutch prisoners were liberated, one of them delivered an *éloge* upon me, in which they had lost, and we fired three volleys over him as he descended into the deep."

This admirable detail of the enterprise is the more necessary to be circulated, because it will correct and refute a most injurious misconception of the captain's death and character, which found its way into some of the newspapers. It was there asserted, that he answered the overture of quarter made him by Captain Hardinge, with a pistol, which he fired at his head, and that he was then killed by the sword of the person whose life he had so ungratefully endangered.

I shall now offer to superior judgments a remark or two upon the enterprise itself.

The direction of the admiral was only "*to look and report*." It was answered by the *capture*.

It is the almost universal habit for the captain, when his boats are detached for the purpose of boarding, to remain in the ship: nor am I aware of a departure from that usage, but in the memorable and glorious capture of the *Hermione*, by Sir Edward Hamilton. The conduct, therefore, of Captain Hardinge, in heading the enterprise, and in being the first man who boarded the enemy, at the risk of censure if he had failed, is a feature of true heroism, and public spirit.

When the right, and the well-grounded expectation of an obstinate resistance by two hundred men, prepared for defence, are taken into the calculation of peril, the valour of the achievement is more elevated still.

But,

But, above all, the goodness of heart, which laments over the adversary, and makes *him* the hero, cannot be too much admired or emulated. I have seen the tear in his eye upon the subject; and the memory of it oppressed him, as if he had lost a relation or friend whom he loved.

This private letter is the best of all portraits: it was written to a bosom friend, and has drawn the living character of the heart, which glows in the pen. It gives, by relating facts or opinions, under the impression of the moment, with modesty, and in a vein of cordiality, the habits and principles of the character. It proves the writer, (through his modesty itself) the English hero---intrepid, persevering, and generous. It manifests, at the same time, those eloquent, but unaffected, powers of style, which, in *him*, were the happy effects of taste and good sense, elevated into a higher strain, by honourable sentiments, and by that "*noble way of thinking*," (to adopt the words of his friend) which inspired his character.

Before a subject of greater importance is entered on, it may not be amiss to record a peculiar incident, which tends to mark the powers of Captain Hardinge's naval memory. In the summer of 1804, as he was dining at Ride, in the Isle of Wight, with his uncle, Sir Richard Hardinge, who had been a seaman as an East India captain, and Mr. Justice, the judge, they took out their glass. The last-mentioned gentleman could distinguish

nothing beyond the general appearance of a ship, but Sir Richard immediately announced the approach of a man of war. Captain Hardinge, the moment that he took the glass, exclaimed, "*The Ville de Paris!*" Sir Richard laughed at him, and said, "In the first place, it cannot be, for that ship is not expected home; and, in the next place, if it were true, you could not be sure of it so far off." Captain Hardinge looked again, and repeated "*The Ville de Paris.*" This produced a wager, and the first thing seen, on the return of the party home to Cowes, was a letter, with intelligence of Admiral Cochrane's return, on board the *Ville de Paris*!

Earl St Vincent that firm and affectionate patron of his *poval war*, resigned, and Viscount Melville succeeded.

Captain Hardinge, having lost the command of his war-sloop, on account of his new rank, was of course to wait for the command of some figure, when it could be obtained for him.

One should have hoped that, after an action of such *glat*, he would soon have been possessed of a desirable ship, and, with it, of some animated station, that would have enabled him to follow up his blow, in credit to himself, and utility to the public. But it so happened, that from this period, a series of naval disappointments (I call them by no other name,) clouded the short remainder of his exemplary life, till the accident arose which terminated all his hope

† He was always upon his guard against vanity, even in the confidence of playful intercourse. In a letter to me is this excellent hint upon himself, "Pay, commend my zeal and address in mounting his ship within so little time—praise well for a next effort! you remember what *Ranger* was to one of us." "There is a degree of assurance in you modest men, that we frequent fellows never can reach."

in this world, but with a naval enterprise which, had his life been spared, would have made him in future an habitual favourite of the executive government, in the naval branch of it. He painted in vain for an open theatre and for "sea room," as he called it. But though he could not accomplish it, and was traversed in all his flattered hopes to obtain it, his naval character took a depth of root, which no misadventure could shake. It was confirmed in the opinion of naval men, who had opportunity of intercourse with him, and were disinterested judges of his merit, it found its way to the hearts of his brother officers and of his crew. This reminds me of an inscription made by those who had served under him in the capture of the *Atalante*, and who solicited, but in vain, to follow him in every future ship or destination of the hero they admired and loved. The passive courage of his temper, and the inflexible energy of his animal spirits, enabled him to encounter, with heroism of the best kind, these governing adversities.

The first command which he obtained was that of the *Proserpine*, in August, 1804. She had been a Newcastle cutter, and had been patched into the name of a five-sty-gun frigate, a name she ill deserved. No other ship could be found (as he was told) for him. So much for the ship now for the service. He was ordered to sail to the West Indies, with a convoy; this injunction, with his accustomed alacrity, was obeyed in the outset,

but ere he left Portsmouth, his relations interfered, and successfully, against this project for his advancement, without imputing a shadow of blame (nor is it imputed now) to the appointment either of ship or of climate. They deprecated the effect of the West Indian climate upon his very sanguine habit, and they had received a discouraging impression of the ship from naval men. Their exertions obtained his removal into another frigate, and a more acceptable scene of action.

When he was in the act of preparing this inauspicious frigate for sea, her R. H. the Princess of Wales remembered the captain of the *Terror*, again took the most generous notice of him, invited him to parties, where he met persons of high rank and of interesting characters, expressed the highest opinion of him and more than once condescended, herself, to patronize the wishes of his friends.

He was, however, to be again devoted to misfortune. The *Valorous*, conferred upon him, January, 1805, had been described, both to himself and the Admiralty Board, as one of the best ships in the service. During his equipment of this vessel, he was honoured again with kind and gracious attentions from the same august personage, and was again most gratefully impressed by the honour shewn to him. The *Valorous* was named by his own friends to Lord Melville, who gave it him, at their instance, but with a similar impression of its value. She was, in truth, so desperate,

that,

* "I should like," said her commander, in a letter to a friend, "to be six feet high, and I shall be so, when I can repair the defects of *Madam Proserpine*."

† I remember seeing a letter from him, dated *Valorous*, in *Dungeress Bay*; it stated, that he had been driven from the Downs, beating up for that place—a day's passage in a good or to credit ship of this class, and that he had been told, his ship was to be delivered by two experienced officers, who were to report her

that, after the peril of his life in the experiment, he convinced the commissioners who were to examine her, by the *ordeal* of a hard gale very near home, how incompetent she was, to any use, in that class of ships. Upon the report made by them,* she was cut down into a war-sloop

Let us read his own manly, temperate, and fair account of this transaction —“ I have been deceived by a false picture. They told me ‘ she was a Cormorant’—a ship with whose merits I had been acquainted, and was happy in the idea of commanding a vessel compared with her. But this turns out, after all, to be, at the very best, a mis-calculated speculation, more whimsical than solid; for those three which have been so puffed, are universally deemed, by all the builders whom I have reached, as perfectly unequal to the rank they are called upon to fill. They have acquired the name of *frames*, in imitation of Buonaparte’s flotilla

The worst of the adventure is, that I courted from description alone, but that having asked and obtained, I feel a shame at the confession that I was deceived. I impute no blame to Lord Melville ”

I remember one trait of him, when he despaired of a removal from this frigate, or of serving his country with effect (as continuing

to command so feeble a ship), which cannot be suppressed, because it makes a feature in the portrait of his character. “ When I look at *Owen*,” he said (pointing at the incomparable officer of that name), “ I feel it impertinence to complain. How little is he advanced in the career of naval preferment—that noble creature, whose conduct is an example, almost unrivalled, of enterprize, ability, and perseverance! Yet I do not presume to censure the executive government, but so it is: but I take the best part of that precedent, which is, that *he* does not complain, and that his character does not feel it. He perseveres, and waits: must not I (at such a distance of inferior merit from him) do the same—*wait and persevere*?”

The Captain was adrift again. The writer of this memoir happens personally to know, that a very experienced and celebrated naval officer, of high rank in the service, having accidentally seen this vessel at Liverpool, just after she was built, prophetically marked her doom. The Admiralty Board had been misinformed, and were misled.

Lord Melville resigned; and Lord Barham succeeded. at the instance of Earl Camden (the first cousin to his father), Captain Hardinge was honoured with an offer of the

qualities in a good stiff breeze, that he had no doubt of the result, and wished for the experiment

* He wrote an account of the survey, and of its result —“ Captains Lobb and Malbon have surveyed us. It’s just as I wished and foretold. It blew enough to invite the experiment. I weighed, and the Cygnet with me, commanded by an old friend, Macleod. We returned in a few hours to anchorage, having almost upset the ship, though our companion had more sail, who is also unable to carry much. I learnt with infinite satisfaction that its their determination to report incapacity in stronger terms than I could venture to use, but which, officially as coming from them, will induce our superiors to shift her establishment altogether at present she is not safe. This I knew, but would not let you know it, lest you should accuse me (as you have sometimes playfully done) of growling—a bad habit, which if encouraged, clings to a man for his life.”

the Salsette, a thirty-six gun frigate, which Lord Barham described as newly built, of teak wood, at Bombay, and as being ready, at all points, for the captain's *instant* command of her, on his arrival there, equipped and manned. The history of that frigate, in the sequel of this memoir, will astonish the reader. He accepted the offer most gratefully, and sailed as a passenger on board the *Belliqueux*, Captain Byng (the same excellent officer and amiable man who had the painful duty of reporting his death.) Here an opportunity occurs of marking his affectionate sentiments. He prided from a dear friend in the following words, that came from his heart. —

“ *Belliqueux* ”

“ Amongst the sensations which are evoked like this awful one, the only painful one is, that I am to be separated from those I love, and for a period so indefinite. But no space or time can ever separate me from you ”

What a favourite he was! in that ship has been attested by an officer of it, who told me, that “ when Captain Byng, who I left early hours, had retired into his bed, Captain Hardinge ‘ shifted his flag,’ as he expressed it, into the party of the lieutenants, and that he delighted them with his companionable talents,” in which few surpassed him.

At the Cape of Good Hope he volunteered his aid, and commanded the marines. “ This will detain me,” said he, “ from the *Sillette*, whom I long to embrace, but what cannot be averted must be encountered with fortitude.” Again his name found its way into the gazette.

On his arrival at Bombay, he discovered the *Salsette*, or at least a new frigate of that name (and the only one he could find,) *just begun*

to be formed. He repaired immediately to Madras, and presented his letters, of credence to Sir Edward Pellew, who was the naval commander-in-chief. These letters were accompanied by his commission for the *Salsette* — one of the letters had been written by Earl St Vincent, who had no power then but that of his personal influence and character. If he had really been (as he playfully called himself) his *father*, he could not have written it with more zeal for his welfare and for his honour, which last he believed to be inseparable from the first. His arrival consoled him for the disappointment and assured him that it was a mistake of the name, so that instead of the *Salsette* then just begun, the new frigate intended for him was the *Pitt*, which had been called the *Salsette*, till it was then cruising off the Isle of France, under the command of Captain Latouche as her provisional captain — that she would return to Madras in a few months, and that Captain Hardinge should be then put in complete possession of her.”

With his pen he altered the name of *Salsette* into that of *Pitt*, he offered him, in the mean time, the immediate command of the *St Fiorenzo*, a very admired frigate on her day, but soon annulled and supplied. When Captain B then returned, he induced the admiral to continue him in the command, and leave Captain Hardinge in the other frigate. After some *unprofitable* cruises (in all senses of the term,) and after one of them in particular, which in a gale endangered his life, she was ordered in to repair, and the captain was, of course, to set with his hands before him. He had frequent promises of active employment, but returned captain of that

cruazy

crazy vessel (dangerous when attempted in service, or asleep when laid up,) and without hopes of seeing (to use his own words) "*one enemy's face*." He had begun a very animated letter in the course of last year, with transports of joy, under the impression that he was in actual chase of la *Piedmontaise*, which had been the terror of the Indian sea, and, though speaking with modesty of himself, expressed a zealous hope to rescue the settlement from so mischievous a neighbour, by the help of his crew, whom he described, as if he loved every one of them to his heart, and as if they were his children. But she out-sailed him, and escaped.

What, in the mean time, is become of the Pitt? I told the reader that he would be *astonished* at the history of the *Salsette*, and I will now redeem that pledge—I'll keep my word.

The Pitt has resumed the name of the *Salsette*, and in that very name has enabled her captain (a very deserving and gallant officer) to obtain valuable prizes in the Baltic. One of them will be found in a gazette, not a fortnight prior to that which notices the death of her intended commander, Captain Hardinge!

The admiral has made an excursion from this settlement. It has terminated in his performance of an important service, by the destruction of all that remained of the Dutch navy in the east. He took with him frigates, but the *St Fiorenzo* was not one of them. Here, as upon the subject of other and similar incidents, I attribute no blame to the conduct of naval superiors, but relate facts, relate them as incidents, and lament the fatality of them.

When the *St. Fiorenzo* had been

repaired at Bombay, in October, 1807, that is, had been rendered, as her captain expresses it, "*lately effective*," but *not eligible*, and rather *safe than sound*, the admiral (with all his efficient naval force) having left that part of the east, Captain Hardinge, as the senior officer then at Bombay, was offered, in the December following, the advantage of carrying measure to Bengal. Though he had not made one capture, since he took the *Atlante*, in March, 1804, and though he had incurred heavy expense, in his baffled course to the east, he would have rejected this offer, if the admiral could then have substituted an arrangement more congenial to his naval spirit, (for except as the means of being generous to others, he had a contempt for the purse.) But under the existing circumstances he accepted the offer, and was to receive, as I understood, a thousand guineas for the carriage, or (to use the naval term) freightage of this treasure. It was in the performance of that humble task that we find him at Point de Galle, in February, 1808.

In his letter from thence (almost the very last that came from his pen) bearing date February the 8th, 1808, he despairs of enterprise, and is returning to Bombay. He was ill-prepared for a conflict, except in the resources of his own personal heroism, assisted and sustained by that of his crew who loved *him* as *he* loved *them*. They were few, and sickly, one of the lieutenants had been left behind them in a very alarming state of health. A letter from him, dated from Cheltenham, will appear, and will supersede all praise of the officer by whom it was written. It will prove how his captain was beloved.

The writer of this memoir, not being a naval officer, is unequal to the task of describing the action with the *Piedmontaise*, as far as the details of it have reached him. But he appeals to the illustrious patron of Capt. H. for its renown, and will close the memoir with a copy of his letter upon the subject, which reflects no less honour upon him (even in as he is in fame) than upon his deputed friend, and is a glowing portrait of his own generous mind. 'This we know, that a *fourty-eight gun* frigate, superannuated and manning a *hundred and eighty-two* men, chiefly invalids, fought his actions with a *fifty-gun* frigate consisting *three hundred and eighty-two* men, besides *two hundred* *boarders* to work the sails, *overcame*, and captured her—by the irresistible effect of persevering enterprise and valor.

Captain Hardinge considered the latter years of his life as thrown away and lost. He appears to have utterly despaired of additional honore in the service he loved. But he was never dispirited, and his fertile mind could not sleep, as long as it commanded resources in the world. He again, as in the Mediterranean, studied customs, manners, and characters. His letters are acute, as well as entertaining, full of spirit and wit, but shrewd in sagacity of comment, and sometimes (but playfully) a little cynical. He describes in one of them, better than I ever saw it painted, the suicide of an eastern widow, but with inferences from it, above all praise of a better kind, for pathetic eloquence, and beautiful sentiments of humanity.

There is no chance of describing, in terms equal to its value and spirit, his love to his relations and friends. That he despised wealth as the means of selfish enjoyment, has been already intimated; but the writer is proud of the occasion to lay before the reader two features, of his liberal character, both as they mark his love to his own family, and as they point at the character of that interest which he destined for all present or future acquisitions to his fortune.—He had scarcely accepted the offer at Bombay, before he directed a hundred and fifty guineas to be expended in the portrait of his eldest uncle. He told Captain Mantland, (the accomplished and gallant son of the Earl of Lauderdale), his bosom friend, that "he determined, after payment of his debts, to appropriate any overplus, for the purchase of a majority, and forward the gift of it, by him, to his next brother, Henry," now a captain of the 57th upon the staff in Portugal, and wounded in the second of the battles there, a very accomplished and promising officer.

Nothing has yet been said upon the topic of religion. But the writer of this memoir, who loves the sea, and is proud (as an Englishman) of all its numerous heroes, wishes to impress upon his reader the fact, that Captain Hardinge, a naval hero, and as brave a man as ever lived, has never been surpassed in humanity, and was a firm christian.

In 1799 I was much in habits with him, and they were habits of confidence. One day, I challenged him, accidentally, into an argu-

* The official annunciation of the capture of the *Piedmontaise*, and the death of Captain Hardinge, will be found at page 316 *et infra* of this volume.

† These were long *eighty-four pounders*, to which must be added *thirty-six pound carronades* on her quarter-deck.

ment in support of christianity, as the reporter of some topics which I had recently heard, in opposition to it, from one of those who are called *free-thinkers*; and which, though I hold them as cheap as dirt, I coloured as plausible as I could, in order to give them fair play, and by way of experiment upon his christian faith. I was charmed with his reply: it was humble and modest, but contained many original topics of reasoning, in support of the New Testament, which no divine or scholar would have disowned.

Of his modest humility I cannot here suppress a very interesting feature, which has recently come to my knowledge. Captain Maitland, who had heard of the fame which his friend acquired in the capture of the *Atalante*, attempted in vain to learn the details of that enterprise from him. He was inflexible to those affectionate importunities, and parried all questions upon it, by the order of the day. That incident, which has been related in some of the papers respecting his concealment of the part which he personally took in the same enterprise, from Admiral Rowley, is a fact, and it may here be added, that I never saw the letter which he received from Captain Tyler, soon after his return, in 1804. It was an *éloge* upon him, the most affectionate that was ever penned; and this very circumstance accounts to me for my ignorance of the fact, that any such letter had been received.*

But his ruling passion, subordinate even to his valour and public spirit, was humanity. Amongst a thousand other traits of it, I recollect, that he took infinite pains with

a memorial, which had been written by himself, to recommend an officer of artillery, who had assisted him on board the *Terror*, off Granville, in 1803.

The honours paid him by general Maitland are too interesting, and much too noble to be withheld from this report of naval heroism; they shall open the documents annexed.

Copy of the letter which the uncle of the late Captain Hurdunge received in August, 1808, from the Honourable Lieutenant-general Maitland, governor, &c. of Ceylon

"SIR,
"After the heavy loss you have suffered, in the honourable and glorious death of your nephew, killed at the end of an action which places him second to none who have died in the defence of their country, it may be some consolation, though a melancholy one, to know, that his death was no less immediate than his gallantry, and the advantage accruing from it, were brilliant and signal.

"The Piedmontese had eluded the vigilance of all other naval officers; till, fortunately for Britain, but unfortunately for you, he fell in with your nephew. Enclosed I have the honour to forward you a copy of an order, which I felt it a duty, as a public man, to issue upon the first arrival of the intelligence.

"I have the honour, &c.
"T. MAITLAND"

Copy of the orders enclosed in Lieutenant-general Maitland's letter.
(GENERAL ORDERS.)

"Galle, Head-quarters, March 13, 1808.

"Lieutenant-general Maitland feels it a duty which he owes to his sovereign and his country, to mark, in the strongest terms, the advantage which may arise to the particular branch of his majesty's service in which he is engaged, by drawing their attention to the benefits accruing from gallantry and perseverance in other departments of the public service.

"He

* From that amiable, able, and spirited officer I have received a letter, which, for modesty, goodness of heart, and generous affections, gracefully expressed, is above all praise of mine.

"He is the more called upon to mark it, from a circumstance which has just come to his knowledge. The St Fiorenzo placed an action, second to none in the splendid annals of *British* valour, and marked with a degree of perseverance which has rarely occurred, has towed into the roads of Colombo (the capital of this island,) la Piedmontese, of greatly superior force in guns and men, and which had escaped from the vigilance of his Majesty's navy in this part of the world.

"It is not to be doubted that every surviving individual, engaged in this action, will be rewarded with marks of royal munificence and liberality, such as have been displayed upon similar occasions, by his Majesty's navy, and by the British Government.

"In the mean time, he feels it his duty, as representing his sovereign in this island, to direct that, at four o'clock to-morrow evening, the flag at the flag-staff of this fort be hoisted half flag-staff high, and that minute guns be fired agreeable to the number of years Captain Hardinge had so honourably lived, when, most unfortunately for his friends and for his country, his career was cut off.

"These orders will be read at the head of the trophy, and similar honours to the memory of Captain Hardinge will be paid in every fort of this island."

I promised a letter from the bishop of Landaff.

(COPY.)

"Colzarth Park, 24th Aug. 1808.

"MY DEAR SIR,

"What can I say to you upon this heart-breaking event? nothing which has not struck your own mind yet I must beg you to believe that I sympathize with you—for sympathy like this, is never so fruitless, in lessening grief, as joy itself, compared with neglect.

"When Lord Robert Manners was killed, the king said to the Duke of Rutland, that 'he had rather have lost three of his best ships,' and surely, in perfect justice, he cannot estimate the loss of Captain Huelme at a less price.

"Your's faithfully,

"R. LANDAFF."

An extract from the letter of a lieutenant in the St. Fiorenzo shall here be inserted.

(COPY.)

Cheltenham, Sept. 9, 1808

"This admired and gallant officer is most universally regretted by all that knew him, and by us, (of his profession) the most, because we knew him the best.

"He conducted himself in the kindest manner to me ever since he took the command of the ship, and when I left her at Point de Galle, on account of a severe indisposition, such expressions of zeal for my welfare and of personal attachment I experienced from this best of men, as I never shall experience again, or ever had experienced from others.

"Never in this world has any man been so regretted as the good and brave Captain Hardinge.

"I am, &c

"EDWARD COLLIER"

The lady to whom I alluded, as having been very ill when he ran up stairs with his little shoes in his hand, saw much of him on his first return from sea, and, since we lost him, she has beautifully touched his character.

(COPY.)

"To his country he is a loss not easily repaired—it is irreparable to his friends. That he gave up his life in the bed of honour, should alleviate our distress, but that his courage, his abilities, and his laurels are the *least* reasons for our pride in him, is greater satisfaction still.

"The goodness of his heart, the engaging sweetness of his manners, the uniform and strict propriety of his conduct and sentiments, endeared him to all who ever knew him, and will receive their due recompense from the *giver of all victory—the judge of all men*."

(COPY.)

"Rochetts, 3d Sept. 1808.

"MY DEAR SIR,

"I participate sincerely in your grief, and regret for the loss of your gallant young friend and mine, who has left us in the midst of his glorious career.

"I consider the enterprise and conflict in which he fell, taking in all the circumstances of it, as the most eminently distinguished that our naval annals can boast, and I read a short account of the departed hero in yesterday's *Courier*, with a melancholy sense of pleasure.

"It

"It can truly be said of him, that he died as he lived—an ornament to his country, and an honour to those who bear his name.

"I cannot abstain from a tear over him—a weakness (for such it is) which I am not ashamed of confessing to you, whose feelings resemble those of your affectionate

"ST VINCENT."

I cannot refuse to the public, or to my own feelings, an extract from a letter of Admiral Tyler to me. It is in these words:

"His latter conduct has placed him amongst the greatest heroes of this country, and I hope to see his monument in St Paul's, where the great and glorious Lord Nelson lies; a fit and proper companion for our lamented hero's name and memory.

(Signed) "CHARLES TYLER"

Peace to the soul of the hero!
and blessing to his departed spirit!
—Fame and affection to his memory upon earth!

SHEMS ALMAALI CABUS,

THE

Dethroned Sultan of Georgia.

HISTORY can shew few princes so amiable, and few so unfortunate, as *Shems Almaali Cabus*. He is described as possessed of almost every virtue and every accomplishment: his piety, justice, generosity, and humanity, are universally celebrated, nor was he less conspicuous for intellectual powers; his genius was at once penetrating, solid, and brilliant, and he distinguished himself equally as an orator, a philosopher, and a poet. In such estimation were his writings held, that the most careless productions of his pen were preserved as models of composition, and, we are told, that a famous vizier of Persia could never open even an official dispatch from *Shems Almaali* without exclaiming, "This is written with the feather of a celestial bird."

Shems Almaali ascended the throne of *Georgia* upon the death of his brother, A. H. 366; and, during a reign of thirty-five years, made the Georgians happy by his administration. His ruin was, at

length, occasioned by an unfortunate piece of generosity.

In a contest between *Mowid Adlaulet* and *Faker Adlaulet*, two rival princes of the house of *Bowiah*, the latter had been overcome by his brother, and with difficulty escaped into *Georgia*, where *Shems Almaali* afforded him an asylum. *Mowid Adlaulet* considered the kindness shewn to his brother as an insult to himself, and, resolving upon revenge, he overran *Georgia* with a numerous army, and obliged *Faker Adlaulet* and *Shems Almaali* to fly for refuge to the mountains of *Khorassan*. For three years the exiled princes led a wandering and uncomfortable life, surrounded by danger, and harassed by necessity, but, at the end of that period, *Mowid Adlaulet* died, and *Faker Adlaulet*, without opposition, assumed the sceptre of *Persia*.

Shems Almaali, as was natural, expected to participate in his friend's good fortune, and persuaded himself that he should not only regain the kingdom of *Georgia*, but that every

every favour would be heaped upon him, which it was in the power of the Persian monarch to bestow. He was disappointed, for *Faker Addaulet*, with unparalleled ingratitude, refused even to restore his hereditary dominions, and the unfortunate *Shems Almaali*, unable to assert his claim by arms, remained for fourteen years longer in exile. At length, however, *Faker Addaulet* died, and *Shems Almaali* was invited, by the general voice of his subjects, to return to Georgia, and re-assume the government. He accepted their invitation: and was no sooner settled upon the throne than he applied himself, with his former assiduity, to promote the welfare of his kingdoms.

But the Georgians were now become unfit for such a sovereign during his long absence, a thousand abuses had crept into every department of the state, which the great men, who profited by them, were unwilling to see corrected. *Shems Almaali*, however, was determined to bring about a reform, whatever might be the consequence. But the attempt was fatal to him, for a number of the principal persons of the kingdom, disgusted at his severity, at length conspired together to deprive him of the sovereignty, and taking advantage of his son's absence, they rushed upon him unawares, and bore him off, from his tent, to a place of confinement.

After they had secured *Shems Almaali*, they dispatched messengers to his son, *Manujeher*, informing him of what they had done, and offering him the throne, upon condition that he would unite with them in the deposition of his father. The young prince pretended to accede to their proposal,

and was accordingly proclaimed sovereign of Georgia.

But *Manujeher* was no sooner in possession of the throne, than he flew to his father's prison, and prostrating himself before the old monarch, declared that he had only accepted the crown with a view of preserving it for his father, into whose hands he now restored it, and in whose defence he was ready to sacrifice his life.

Shems Almaali was charmed with his son's behaviour, but refused his offer, saying, that he had now done with the world, and only wished to remain undisturbed in his present retreat, where he meant to dedicate his few surviving years to the service of God. *Manujeher* promised that every accommodation, which his father desired, should be amply furnished, and gave immediate orders for the purpose.

But the conspirators who had dethroned *Shems Almaali*, dreading his talents as much as they hated his virtues, were determined to put an end to their fears by his death. They made many attempts to persuade *Manujeher* to commit this horrid deed, but, finding all their solicitations ineffectual, they resolved to undertake it themselves. The murder was not long delayed, and was accompanied with the aggravated guilt of unnecessary cruelty; for, having gained possession of the castle, which *Shems Almaali* had fixed upon for his retreat, they unlocked the chamber where he resided, deprived him of clothes and every necessary, and left the aged monarch to perish with cold upon the pavement.

After the character given of *Shems Almaali*, it is almost superfluous to add, that he was the patron

pation of literature His court abounded with men of genius from all parts of the East, amongst whom the celebrated *Avicenna*,

who lived many years under his protection, deserves particularly to be mentioned.

HINDU CASTS

The tribes, or casts, comprehended in the *Eddagai*, or left-hand side, are nine. -

I. PANCHALA, comprehending

1. The *Cubbinadava*, or blacksmiths
2. *Badiga*, carpenters
3. *Cunsugaru*, coppersmiths.
4. *Culhadiga*, masons.
5. *Azala*, gold and silversmiths
2. *Bheni chetty*, merchants who pretend to be of the *Vaiya* cast
3. *Devanga*, a class of weavers.
4. *Heganigar*, oil makers, who use two oxen in their mill
5. *Gollur*, or *Golawanlu*, who transport money.

6. *Palwanlu*, } two tribes of
7. *Palawanlu*, } cultivators, who
 are not of Kar-
 nataka origin

8. *Baydari*, hunters.

9. *Madigar*, tanners, or shoemakers. The *Panchala* command the whole party, and the *Madigar*, in all disputes, form the most active combatants, on which account, as their own name is reproachful, they are commonly called the *Eddagai* cast, as if they were the only persons belonging to it.

The casts forming the *Ballagai*, or right-hand side, are eighteen in number.

I. *Banigar*, who are of many trades, as well as many religions.

The two most conspicuous divisions are

1. *Pancham Banvigaru*, who are traders, and wear the *Linga*.

2. *Telga Benyngaru*, who worship Vishnu

2. *Woitigaru*, cultivators of the *Sidra* cast, and of *Karidaka* extraction

3. *Jotphana*, oil makers, who use one bullock in the mill

4. *Rungaru*, calico printers, and taylor

5. *Landaru*, a kind of Mussalman traders, who are followed by all the artificers of the same religion.

6. *Guzerati*, merchants of *Guzerat*

7. *Camatigar*, persons who are really of the *Vaiya* cast.

8. *Janaru*, worshippers of Jain.

9. *Curubar*, shepherds, blanket weavers, and cultivators.

10. *Cumlaru*, potters

11. *Agasaru*, washermen.

12. *Besta*, *Patunkan* bearers.

13. *Padma Shalayvaru*, a kind of weavers.

14. *Nandaru*, barbers

15. *Uparu*, persons who dig tanks, and build rough walls.

16. *Chitragaru*, painters.

17. *Goallaru*, keepers of cows and buffaloes

18. *Whallaru*, the people called *Pannars*, at *Mudiar*, who form the active part of the right hand-side.

sides, and are commonly called *Ballagat*, their own name being disgraceful. The *Panchum Banysgaru* are the leaders of this division.

It must be observed, that, in these lists, I have used the *Kanarata* or *Canarese* language, and almost all the names are in the plural, as speaking of classes of men. The singular number may, in general, be obtained by rejecting the final *ru*. I must also observe, that the *castes* differ, in some respects, from a valuable account of the right-hand and left-hand sides, which Colonel Close was so obliging as to communicate. The difference I suppose, arises partly from his having received the accounts through the medium of the *Musliman* language, and partly from his having taken them at *Bangalore*. Mine I received at *Seringapatam*, by means of an interpreter, from the *Kanarata* language, and I have found that, in different places, though at no great distance, there are considerable variations in the customs of the same tribes,—a circumstance to which I request the reader's attention. My descriptions of sects are only to be considered as strictly applicable to those of the places where they have been taken.—I avoid the *Musliman* names, as I find that these people had, in general, very imperfect notions concerning them. *Hindu* names are, and frequently used distinctions to which there was nothing analogous among the aboriginal tribes.

The origin of the division of *Hindus* into the right-hand and left-hand sides, is involved in fable. It is said to have taken place at *Kannur*, or *Conjeveram*, by order of the goddess *Kah*, and the rules to be observed by each side, were, at the

same time, engraved on a copper plate, which is said to be preserved at the temple of that place. The existence of such a plate, however, is very doubtful, both parties claiming, on its authority, their pretensions, which are diametrically opposite. The different casts, of which each division is composed, are not united by any common tie of religion, occupation, or kindred: it seems, therefore, to be merely a struggle for certain honorary distinctions. The right-hand side pretend, that they have the exclusive privilege of using twelve pillars in the *pandal*, or shed, under which their marriage ceremonies are performed, and that their adversaries, in their processions, have no right to ride on horse-back, nor to carry a flag painted with the figure of *Hanumanta*. The left-hand side pretend, that all these privileges are confined to them, by the grant of *Kah*, on the copper-plate, and that they are of the highest rank, having been placed by that goddess on her left hand, which, in India, is the place of honour.

Frequent disputes arise concerning these important matters, and on such occasions, not only mutual abuse is common, but also the heads of the divisions occasionally stir up the lowest and most ignorant of their followers, to have recourse to violence, and to encourage them, by holding out the houses and shops of their adversaries as proper objects for plunder. A very serious dispute took place at *Seringapatam*, since it fell into the hands of the English.

Thirty families of the weavers, belonging to the left-hand side, joined themselves to the *Teliga Banysgaru*, and were encouraged by them to use all the honorary dis-

distinctions claimed by the right-hand side. This gave great offence to the *Panchum Banyigaru*, and the *Whalliaru* were let loose to plunder, nor could they be repressed without an exertion of military force, by which several people were killed. In order to preserve the peace of the garrison, and to endeavor to bring the two parties to an agreement, it has ever since been thought expedient to prohibit any marriages from being celebrated within the fort.

Pride is the occasion of another violent dispute for precedence between two casts, the *Panchum Banyigaru* and the *Camatigaru*, although they are both of the same side. The former allege, that they are the hereditary chiefs of the division, and the *Camatigaru* declare, that they are of a higher class, as being *Vaisya*, while the others are only *Sûdria*. The dispute, at present, runs very high, and has occasioned some trouble to government.

In every part of India, with which I am acquainted, wherever there is a considerable number of any one cast or tribe, it is usual to have a head man, whose office is generally hereditary. His powers are various in different sects and places, but he is commonly in-

structed with the authority of punishing all transgressions against the laws of the Cast. His power is not arbitrary, as he is assisted by a council of the most respectable members of his tribe. The punishments that he can inflict are fines, bastinado, and above all excommunication, or loss of caste, which to a *Brahma* is the most terrible of all punishments. These hereditary chiefs are assisted by their council, frequently decide civil actions, settle the laws of their tribe, and when the business is complicated difficult, they are generally referred to the hereditary chief of the highest tribe of the side of the division to which the parties belong. In the case he assembles the most respectable men of the division, and settles the dispute, and the advice of these persons is commonly followed by the both parties in justice in the decision, for every one would suit a man who could be so unreasonable as to refuse compliance.

These courts have no legal jurisdiction, but their influence is great, and many of the *British Agents* support their decisions by the authority of government. (*Buchanan's Journey.*)

PHYSIOLOGY.

THE SEA SNAKE.

Letter to Dr. Keir, Bombay.

Sir,

A mercurial, proof against the too prevalent but mistaken, idea of the harmless nature of the common Sea Snake, has been clearly evinced in the following fatal occurrence, which took place, in this vicinity, a few days ago, and which I deem it expedient to communicate to you, with the view that it may be rendered public, should you consider it of sufficient importance.

Early in the morning of the 24th ultimo, a stout young man, about twenty-two years of age, a muckqua, or fisherman, belonging to Poodlanguray, a small village in this neighbourhood, went out, with others in his boat, a fishing, about two miles from the shore. About nine, A. M. upon hauling in his net, he found a common Sea Snake entangled in it. He seized the snake by the back to disengage it from his net, (conceiving it perfectly harmless) when it instantly bit him on the point of the middle finger of the right-hand; he threw the snake into the sea, and thought nothing of the bite. He came on shore about an hour after, when he complained of a slight pain in the affected finger, and which ex-

tended along the inside of the right arm. He walked home, about a half a mile from the beach, but towards the latter part of the journey, complained of giddiness and weakness in his loins and lower extremities, and was obliged to be supported by his comrade the rest of the way.

Soon after he reached home, his friends procured a native doctor of his own cast to administer to him, but even then, neither the person who was bitten, nor any of those around him, possessed the most remote idea of danger, or, in fact, that any serious consequence was likely to result from the bite.

About three, P. M. he complained of very great pain in the wounded finger, and all along the right arm, shortly after this the upper and lower extremities were seized with violent spasms, accompanied with giddiness, nausea, and vomiting, and a dimness of sight, towards night, all these symptoms increased, attended with great restlessness and excruciating pain in the right hand and arm.

About two o'clock the following morning, he became comatose, and was occasionally seized with convulsions till he died, which was about

about twenty-four hours from the time he had been bitten.

About eleven, A. M. of the 25th, his friends called upon me for assistance, when I immediately accompanied them, but much too late, for the unfortunate man appeared to have been dead some time.

The native doctor who attended, appeared to have done little else than besmear the body with oil and wood ashes, and apply the warm blood of a young fowl to the affected finger.

On inspection, there appeared upon the point of the middle finger of the right hand, a mark just sufficient to know, that he had been bitten, but no swelling about the finger, hand, or arm, nor were the axillary glands of the right arm at all enlarged. There appeared a much greater degree of rigidity about the body, for so recent a corpse, than I ever recollect to have seen, but no diseased enlargement of the body.

Upon examining the people who were in the boat with the unfortunate sufferer, they all declared having seen the snake, and that it appeared to them to be exactly of the same kind, as they are accustomed to see numbers of daily, when employed in fishing, but never, until the present, has an instance been known amongst them of any serious consequence following from the bite of these snakes.

At noon, of the 30th, just as I had finished the above account, another case was brought on shore

from one of the boats to my house. The man had been similarly employed, and was bitten on the back of the fore-finger of the right-hand, about one hour before he was brought to me. The wound was very distinct, but as yet unattended with material pain, knowing the fate of his friend a few days before, from a similar accident, he laboured under great agitation and alarm. I placed a tight ligature upon the arm, scathed freely the wounded part, and rubbed it smartly for some time with a strong solution of Lunar Caustic, administering liberally the spirit Ammonia, internally. He suffered very severe pain in the affected hand, from two o'clock until about six, but towards night, this pain moderated, and the medicine he had taken threw him into a most profuse perspiration. About ten o'clock that night, as there appeared no symptom, indicative of the poison having entered the system, I left off the medicine, and found him, next morning, quite well, though weak: from which circumstance, I feel rather disposed to believe, that, in this case, the remedy had recourse to, combined with his own fears, was perhaps more the cause of his suffering, than the effects of any deleterious matter deposited in the wound*. The snake was described to be of the same kind as the former, but much smaller.

Yours sincerely,

S. MEEK.

Calicut,
July 7th, 1807.

* Mr EVERARD HUME, the celebrated surgeon, has presented a very ingenious paper to the Royal Society, of which he is a distinguished member, on the effects produced by the poison of this venomous reptile, from cases coming within his own observation, and from experiments made by him during his residence in the West Indies. From these he has drawn conclusions of so decisive, and at the same time, of so novel a nature, that it is fit they should be communicated, on the

GEOLOGY

EXPERIMENTAL OF THE SLAY ON THE BEACH AT MILLERS ^k

The Editor,

SIR—The planning advice of the

ser, on the beach of Madras, and St Thome, has naturally occasioned much speculation and conjecture. I have heard the cause assigned to an internal commotion

of

As opposed to, and only for the information, but possibly for the safety of the
 American people, I think it would better describe the results of Mr. Howe's expe-
 riments in a plain language.

high have been stated, that the effects of the bite
of a snake is less severe than

"We must not, however, let the local irritation be so sudden, and its effects so violent, as to cause the death soon takes place. When the body is afterwards examined, the inflammation of structure met with, is in the parts close to the ulcer, when the cellular membrane is completely destroyed, and the neighbouring vessels considerably inflamed."

When the inflammation is intense, the shock to the general system does not give rise to a high fever, but a degree of delirium, and the pain in the part bitten is very severe, and about a half an hour, swelling takes place, from an effusion of serum in the cellular membrane, which continues to increase, with greater or less rapidity, for twelve hours; extending, during that period, into the neighbourhood of the bite, the blood ceases to flow in the smaller vessels of the swollen parts; the skin over the part becomes quite cold, the action of the heart is so weak, that the pulse is scarcely perceptible, and the stomach is so irritable that nothing is retained in it. In about two hours the symptoms go off, inflammation and suppuration takes place in the injured parts, and when the abscess, formed is very great, it proves fatal. When the inflammation is in the finger, that part has immediately mortified. When death has taken place, under such circumstances, the absorbent vessels and their glands, have undergone no change similar to the effect of morbid poisons, no has any part lost its vitality or coherence, except those immediately connected with the abscess.

⁶ In those patients who are over with difficulty from the bite, the symptoms produced by the food are less severe, and more completely, than those produced by a non-biting person, which has been received into the system.

The violent effects which the poison produces on the part bitten, and on the general system, and the shortness of their duration, where they do not terminate fatally, has frequently induced the belief, that the recovery depended on the medicines employed; and in the East Indies, eau de luce is considered as a specific, for the cure of the moricaine.

"There was not room to lay any foundation for such an opinion; for when the shock is so great as to give a sufficient shock to the constitution, death immediately follows, and when the poison produces a local injury, of sufficient extent, the system also may have time and power to recover."

"The effect of the presence of the constitution is so immediate, and the irritability of the system is so great, that there is no opportunity of exhibiting medicines, though fairly in place, and then there is little chance of beneficial effects being produced."

Another method of treatment, to prevent the secondary mischief, is making ligatures above the tumified part, to compress the cellular membrane, and set bounds to the swelling, which only spreads on the loose parts under the skin, and scantily fills the parts by dissection, that the effused serum may escape, and the matter be discharged as soon as it is formed. Ligatures are employed in America, but with a different view,—namely, to prevent the poisons being absorbed into the system."

* An account of this dreadful vision is described in a preceding place. Page 128—130.

of the earth, and not to the force of the hurricane alone. The wreck of the *Fairlie* so unexpectedly thrown on the beach, seems to strengthen this idea.

If the sea has been displaced by the sudden protrusion of volcanic matter, his majesty's squadrons, and the whole commercial world, are most highly interested in ascertaining the position and extent of the bank or shoal, which may thus have arisen probably in the vicinity of this port. The sea has long been gradually advancing on Madras, but whether the hurricane or other apparent cause has produced the present rapid influx of the irresistible element, it evidently becomes most desirable, and indeed necessary, to investigate with attention an event so extremely important, in its public and private consequences, in various points of view, and to collect every possible intelligence for determining the extent of its encroachment along the coast.

F. J.

Madras, 14th Jan. 1808.

*To the Editor **

SIR,—In addition to the reasons which have been adduced, to prove that an earthquake was felt at Madras, on the night of the 10th and 11th December, I have to state that a small brick-built well, about 15 feet deep, which was sunk at the observatory gardens, between the astronomer's house and the observatory buildings, was broken down at several places, and at different depths, during the storm, and that the upper circle of Masonry, which secures the aperture of the well, has been shoved from its parallelism with the earth, by

several degrees, in which situation it may now be seen.

W.

Madras, Jan. 20th, 1808.

To the Editor

SIR,—Having observed in the last Madras Gazette, a letter signed F. J. on the subject of the different speculations and conjectures which have been formed, as to the cause which may have occasioned the sudden, and extraordinary approach of the sea on the beach of Madras, and St. Thome, and as the correspondent further seems to wish for some more information on that subject, in order to obtain grounds on which he may found his investigation, "whether the approach of the sea was occasioned by the hurricane, or by an internal commotion of the earth," I beg leave to communicate to him, through the channel of your paper, what was felt by me, and several others, on the night of the hurricane. It happened that I, my whole family, and some friends, were on that night on the north side of the Ennore river, in the buildings erected by Mr. Fortin, opposite to the Ennore choultry, the main building not being finished or covered in, we occupied a covered and strait Veranda of 100 feet in length, which Veranda was connected with the east wall of the building.

Between 12 and 1 o'clock in the night, we felt a very sensible motion of the ground, which made us all jump from our cots with surprise, asking each other what it was? We naturally concluded that it was occasioned by the force of the wind, having no apprehension of an earthquake, the volcanoes being

* These letters originally appeared in the Madras gazette.

being at such a great distance from Madras, a few minutes after, we felt a second motion, which was soon followed by a third—the two last were, however, less sensibly felt. The wind then began to increase, and about two o'clock we heard the walls of the building fell down. In the morning we made our observations on the three commotions we had experienced between 12 and 1 o'clock, and were all surprised that although the wind, after the shock, had gradually increased, we did not feel any more motion of the ground during the whole night. This proved to us that our first conclusion was erroneous, and that it was not occasioned by the violence of the wind, because if that had been the case we ought to have felt it during the whole of the night, and stronger and stronger, according to the increase of the wind.

I also must observe that the Veranda was not paved with bricks, but composed of clay, on which our cots were standing, and therefore, if the walls of the Veranda were shaken by the wind, it could not communicate the motion to the soft and wetted clay.

At my return to Madras, several of my friends informed me that about the same time they had felt a similar commotion, and that they had also attributed it to the violence of the wind, but on further inquiry they all declare, that during the remainder of the night they did not feel any more motion of such a nature.

In adding these observations to the wonderful effects of the sea in having thrown up the wreck of the *Fairlie*, which had been buried in the bottom of the sea for so many years, great credit may be given to the opinion that an internal com-

motion of the earth has really occasioned the extraordinary approach of the sea, and I also think that the late news we have received of an earthquake having actually happened at Padang on the 3d December, should not escape the attention of the Investigator.

I am, Sir, &c

H.

Madras, Jan. 26, 1808.

HYDROGRAPHY

ROCKS RECENTLY DISCOVERED.

Bale of Cotton Rock

N. Latitude - - - 5 18
E. Longitude (fr London) 90 44

It is about the size of a large room, in height, and has the appearance of a ship under sail.

This account is confirmed by the journal of a gentleman, who has been twice upon the rock.

Le Meme's Reef.

N. Latitude - - - 1 20
E. Longitude (fr London) 94 20

The Reef is from eight to ten feet above the surface of the sea, and extends about a mile from east to west.

This account is rendered by a gentleman, who was with Mr Le Meme at the time he discovered the rock, and went upon it. He afterwards saw it, and attempted to get upon it, but was prevented by a heavy swell of the sea.

Reef off Point Romania

Captain Owen, of one of his Majesty's ships, being stationed at the mouth of the straits of Singapore, has lately made a correct survey of the Reef off Point Romania, in which he has ascertained, that it is of considerable extent, but that it is only dangerous for ships of a large draught of water, as in most places there are from two to three fathoms. Captain Owen has also ascertained, that there

there is a clear, excellent channel, which, though rather narrow, is safe for large ships, within the Romania Islands, or between them and Cape Romania. Any ship, in the North East Monsoon, by keeping close to the Malay shore, can with safety get into the straits of Singapore by this passage.

Remarks on a Shoal of hard Sand, and coarse Shells, lying between Pulo Cecu de Mai and the Main.

" On the 26th of November, 1807, steering S W by S Pulo Cecu de Mai, bearing E by S in soundings of fine grey sand and small shells, we suddenly, at one cast, shoaled our waters from twenty-four to twelve fathoms, when the bower-anchor was ordered to be ready to let go. At the next cast, we had shoaled to ten fathoms, when the anchor was ordered to be cut away, and the ship brought up in eight fathoms, in a bottom of coarse sand and shells. As soon as the ship was secured, the boat was hoisted out, and sounded all round her, the ship bearing east, at the distance of about 400 yards they found five fathoms, at the distance of 500 yards, four, four and a half, and four fathoms, at about 700 yards, four, four, three and a half, and three fathoms, being the least water. When the ship bore north, not more than thirty yards distant, they had twenty-six and twenty-four fathoms, and, pulling to the ship, shoaled suddenly to twelve, ten, and eight fathoms. The following are the bearings taken on board the General Baird, when at anchor. Pulo Cecu de Mai E by S $\frac{1}{2}$ S distant six or eight miles, the rock off the N. W. end of ditto E 1-3 S. the broken land of Cape St James W. by S $\frac{1}{2}$ S. the extremes of the

land from W by N to E. N. E. We shoaled on the same bank in the Aidasee, the 10th of January, 1805, the least water at that time was seven fathoms, Pulo Cecu de Mai bearing E by S $\frac{1}{2}$ S. distant between two and three leagues.

Latitude by account, 10 35 N. Longitude from M. Greenwich 10 7. 45 E "

The preceding observations were made by Captain R Elmer, commanding the ship General Baird. The shoal described by Captain Elmer may possibly be a part of Van Holland's Bank; but if it be, that shoal must extend much further to the southward than laid down in any of the charts.

Telemaque Shoal.

The following account was communicated by Captain Edwards, of the American ship, Pallas of Salem, who made the Telemaque Shoal on his passage from Boston to Calcutta.

" January 11th, 1807, by a very good observation, in the latitude of 38° 03' south, and by account, in the longitude of 23° 00' east from London, at 1 P. M. one of my people observing the water to be very much discoloured and spotted, as if passing over rocks, called all hands on deck, most of them being at the time below at dinner. I ran on deck myself as soon as possible; and found the alarm was not without foundation, the water being very white and spotted.—I immediately went aloft with my glass, and found that the ship was passing over the north-east point of the shoal, the water greatly discoloured, spotted, and rippling very much; I saw two places on which the sea broke very high, bearing from the ship W. N W. and W. S. W. the one bearing W. N W. apparently the most dangerous. As its extent

tent to the south-eastward was below the reach of the eye assisted by a good glass and a very clear day, and from the distance run by the ship I should apprehend to be 5 or 6 even leagues in length, from N. by E. to S. by E. and as I could distinctly see the clear blue water on both sides, conclude it is not more nor more than one or a mile in breadth, and as it is not more than twice the length of the ship in width, at the north-eastward when the ship passed it. It is probable that the water is very bold and it, as the ship, at no more than half a mile distance, run for three hours in water, was not discoloured, there was a great rapping the whole length of the boat, but no bite felt except on the two places mentioned before.

It extended far to windward of the ship, and its appearance was so alarming, that I thought it prudent to leave round, as I otherwise should have done and passed to leeward of it. It was too dangerous to run down on with the sun, and the sea too rough to examine with the boats. I did not doubt, because the situation of the ship on a fresh nor-easterly wind, which brought it direct to leeward, prevented any heaving to, to stand, and it was not possible to get notion where the ship was after day.

I wish others, regret that my situation prevented me from ascertaining it more particularly, but can with confidence say, that it is without a hint of a doubt that it is a shoal of considerable extent and danger, and I should recommend to all navigators to be very cautious, and keep a very good look out in passing it.

The mean of two distances of

the sun and moon on the 4th and 5th January, worked up to the time when the shoalest place was bearing W N W makes it to lie in the longitude of $22^{\circ} 58' 22''$ east from London, and by a good observation by the meridian altitude of the sun, in the latitude of $35^{\circ} 05'$ south, the longitude of the above place by the means of four reckonings, brought forward to the above bearings $23^{\circ} 0' 45''$ east from London, was boarded five days after this discovery by the *Lord Duncan*, Captain Hart, and his chronometer would place it about 40 mile further westward, but his distances by sun and moon nearly the same.

NATURAL HISTORY

Description of the Banian tree, on the banks of the Nerudda

This tree is one of the most celebrated throughout Hindostan, it may be considered as one of the most wonderful of all the productions of beautiful nature, and in this matchless climate, where the earth is for ever fruitful and abundantly luxuriant, it flourishes with eternal verdure, and from the wonderful nature of its growth, forms an extensive grove, nearly impervious to the intense rays of the sun, and abounding with numerous and various inhabitants. The Hindoos, who venerate this tree unto adoration, call it the but-tree. Many of them are found of vast extent, and as they are continually increasing in size, they may be said to be exempted from that curse which hangs upon every other of nature's works, having animal or vegetable life and which renders them liable to decay but this tree defies even, the flow and certain progress of time to sap its vitality; for every branch, emanant from the great trunk,

trunk, arriving at a certain age, shoots forth many small fibres, which, increasing in length and thickness, bend downwards to the earth, whose surface they gradually reach, and, penetrating into the ground, take root, and themselves become parent trees by again shooting out young branches, which grow up in like manner, and like them bend downwards again, after having reached a certain height, and again take root. By this singular mode of growth, every branch becomes the parent of many trees, all of which multiply in a like proportion, and all remain connected to each other, growing to immense arches, and forming vast festoons, which gradually spread over an amazing extent of soil, and from one original trunk form a large and beautiful grove. No limits are ascribed to the extent of this tree, for as long as it finds a sufficiency of soil capable of affording it nourishment, it extends its verdant foliage. When we consider the great value of this tree to the natives of so warm a climate as that of India, under which it is ever a cool shade, we cannot be surprised that the Hindoos, are so peculiarly attached to it. They consider and venerate it as an emblem of the great Deity whom they adore; and as they contemplate its never-failing strength, its vast and outstretching arms, and its lovely and overshadowing protection from the extremes of weather, they humble their minds before their Creator, and are almost ready to yield divine honours to so great a work.

As there are so many solitary, and cool recesses, so many delight-

ful walks and charming avenues, all impervious to the fiercest and most powerful beams of a tropical sun, within the circuit of one of these trees, many Brahmins spend the whole of their lives veiled in the gloomy shroud of religious awe, within their shades, and they are not only the resort of these devotees, but are frequently the scenes of mirth and pastime to all the Hindoos, who are happy to unbend in these sweet retirements.

The tree was formerly of much greater extent but the mighty and turbulent waters of the Nerubudda have borne down a considerable part of the bank upon which it stands, and the floods have carried away many of its roots, yet is the circumference of the principal body of the tree upwards of two thousand feet, but the space contained by the overhanging branches is of vast extent. The large holes are three hundred and fifty in number, and the lesser stems, whose business is to nourish the branches and pendant roots, exceed three thousand.

This beautifully verdant canopy was filled by myriads of birds, whose brilliancy of plumage, and gaiety of song, charmed the numerous travellers that rested in the shade, and formed a most sweet and enlivened picture. Numerous families and tribes of monkeys also possessed large colonies amongst the branches, and it is amusing to watch their wonderful evolutions, and ludicrous contortions of visage, which they exert the more they are gazed at. It is diverting, as well as interesting, to contemplate the great

* There are long avenues of the Banian tree in the Tanjore country and the Carnatic, and still more in the kingdom of Travancore. There is a remarkable tree of this description near to the city of Travancore, which is nearly circular, where it is bisected by the road, it measures 979 feet in diameter from the extremity of the branches on the one side to the other.

Vox. 10. .

† U u

great degree of affection the parents shew towards their young and inexperienced offspring, and many an ignorant, and cruel mortal, may here learn, from animals ungifted with reason, lessons of truth and humanity, which his pretended superiority had never imparted to him. The old ones take vast pains, and are extremely assiduous in teaching the young ones how to find their food, and, by vigorous example, shewing them how to skip from bough to bough, and, occasionally, in what manner they are to exert themselves in order to take more extensive bounds. Nothing can be more entertaining and laughable than the various expressions of their countenances, which so strongly evince their fluctuating passions. Sometimes it is necessary for the elders to use conciliatory measures with their progeny, and encourage them to follow the example before them, by endearing tokens of their affection; this the more tender mode of procedure is generally used when the young ones are timorous, but when they appear obstinate, the parents become quite outrageous, and evince the violence of their passion by the strongest gestures, grinning horribly, and gnashing furiously with their teeth, while their eyes literally shoot fire upon their ignorant and untoward brats.

The manner in which these singular animals destroy their inveterate enemies, the snakes, which haunt these bowers in vast numbers, is so curious, and so well worthy of observation, that it cannot be passed by unnoticed. Being too well acquainted with the dreadful malignity of these foes to all animated nature, they attentively watch their motions, until they perceive them fast asleep,

of which they are no sooner certified, than they creep towards them with the utmost caution, and seizing their enemies fast by the neck, haul them to the nearest flat stone, upon whose surface they immediately grind down the head, by dint of violent friction; ever and anon stopping to breathe a little, and to take a proper gain at the progress of their work. When the relentless operator has demolished the head so far as to be well assured that the venomous fangs are utterly destroyed, he gives the victim of his hate to the rising generation of his tribe for a plaything, and their exultation is conspicuous in all their motions, as they toss the unarmed reptile from one to another.

The blessings that are produced in this astonishing production of nature are as numerous as they are valuable. It not only provides the various animals that resort to it, with a place of residence no where to be equalled for comfort and convenience, but it also furnishes never-failing resources for sustenance to every one of its inhabitants. It produces vast quantities of small figs, which are of a bright scarlet colour, and are much valued by the animals who abide amongst the branches, birds, bats, and monkeys, alike devour this fruit with an uncommon voracity, and while the famished travellers are seated in circles upon the ground, refreshing themselves by a cool and delightful repast, these animals may be seen over head, regaling with this, to them, delicious fruit.

THE PALMIRA.

THIS tree is the *Borassus flabelliformis* of Linnæus, the *tal* or *tar* of Bengal, and the *Panna Maram* of

of the Tamuls. In many parts of India, it grows almost spontaneously. It thrives best in a strong black clay, next on the red soil, commonly used for *ragy*,* it will also grow on poor sandy soil, but its produce is then very small. When a new plantation is to be made, the ground is ploughed twice in the month of *Adi*, (from the 13th of July to the 13th of August.) The fruit for seed is gathered in the beginning of this month, and kept in a heap until the end, when the field is ploughed a third time, and the seeds, having been separated, are put into the ground at the mutual distance of three cubits — They are placed in the bottom of a furrrow after the plough, and are covered by the next. For nine or ten years the young palms are secured from the cattle by a fence, and require no further care. At this age they are about six feet high; and as cattle cannot then injure them, the fences are removed, and the garden is used for pasture.

When the trees have been planted in a good soil, they begin in thirty years to produce *Callu*, or *Palmva-wine*, but in a poor soil forty years are required. When they have arrived at maturity, the ground, between the trees, is cultivated every year from grain; but this, although it increases the quantity of *Palmva-juice*, yields not more than one-half of what the field would do, were it not planted. This palm is supposed to live above a thousand years; that is, it lives longer than can be ascer-

tained by tradition. No care is taken to plant young trees in place of the old ones that have been destroyed by accident, or by old age, but young ones spring up in the empty spaces from the fruit that drops from maturity. It is to be observed, that in most of the plantations, the trees are at great distances, and it is said, that many of the young ones are cut down for their cabbage, or central young shoot, while the bears and wild hogs eat most of the fruit that falls.

This palm produces juice five months in the year, from about the 11th of January, until the 11th of June. The stem must be cleared from all the roots of the branches, which is attended with a good deal of trouble, and the workman mounts by means of a strap passed round his back, and a rope round his two feet. An active man can manage forty trees, but an awkward fellow will only manage fifteen.† They are all of the cast called *Shanan*, or, in the plural, *Shanar*. Before the bursting of the membrane, which covers the flowering branch, and which botanists call the *Spatha*, the workman bruises it between two sticks,‡ for three successive mornings. On each of the four following mornings, he cuts from its tip a thin slice. These operations prevent the *spatha* from bursting, and on the eighth morning a clear sweet liquor begins to flow from the wound. A pot must then be suspended, so as to collect the liquor, as ~~it~~ drops from the *spatha*. A good tree will give daily

* A kind of corn

† The work of these men is generally completed before Sun-rise.

‡ This operation is called by the natives *shamposing*, and is supposed to have the effect of stimulating the circulation in the part, or of converting the green substance, or unsettled fibre of the branch, into juice.

† U u 2

daily about three ale-quarts of juice, a bid one about a sixth of that quantity. If the juice is to be boiled into *Jagony*, a little quick-lime must be put into the bottom of the pot in which it is collected, in order to absorb any acidity, and thus to prevent fermentation. This is not done when the juice is intended for drinking, as then the strong acid ferments so much the better wine will be produced.

The juice of the *Palmyra* is manufactured into a coarser sort of sugar, and is afterwards distilled into a spirituous liquor.

The *Shanar* rent the trees, paying a certain sum annually for each, from eight to thirteen shillings sterling.

USEFUL ARTS

MANUFACTURE OF CANVAS.

It is highly satisfactory to notice the successful progress of such institutions, whether of science, of art, or manufacture, as have been introduced into the Asiatic colonies of Great Britain, by the genius and enterprising spirit of her adventurous sons, and more especially the quick progression from rudeness to excellence of many useful arts, which, though lately unknown in Bengal, are now leading to results at once profitable to the colony and advantageous to the mother country.

The instance of improvement about to be alluded to, is the manufacture of canvas, which, within the six or eight immediately preceding years, has, in the province of Bengal, under the auspices of British industry, been reared from a state of imperfection, to a useful and creditable rank in the catalogue of British Indian manufacture.—The *Paut* has been very properly

excluded from the manufacture of Bengal canvas. It is now prepared entirely from the *Sunn*, a plant erroneously supposed to be the *Canalis sativa* of Linnæus. Though it be not hemp, yet the Bengal *Sunn* affords, when properly prepared and manufactured, a product nearly, in all respects, equal to the best English canvas. It is not merely in the material, that improvement has been introduced: the machinery for cleaning and spinning the raw material, and the looms, also, are particularly improved, and the whole conducted on the most approved plan of European artists, and with such success that, in the course of two or three years, the use of European canvas will, probably, be entirely excluded from the service of India.

The importance of this branch of manufacture in a British colony is sufficiently obvious. The indispensable necessity of large supplies of canvas, for the service of the British navy, and for her commercial fleets, for a great, if not the principal, part of which England is now dependent on Russia, are facts which, the more they are considered, the more we shall be inclined to think favourably of every attempt, that shall lessen or remove the necessity of dependence on foreign supplies.

The following extract of a letter is, among other numerous testimonials, in proof of the excellence of this article of Indian manufacture.

Extract of a Letter from Captain Guelmist, of the American Ship Coravan, dated Prince of Wales's Island, the 24th of June, 1807.

“ I do not forget that, on leaving Calcutta, I promised to give you

you an account of the canvas, supplied from your looms. I am happy to assure you, that the service it has undergone declares the excellence of its quality, and which has proved, far beyond even my sanguine expectations, and your own assurances in its favour. It will be sufficient to say, that I had it in constant use from Bengal to America, thence to Europe, and again back to America, and from America to this port, where, upon examination of my sails, I expect that they will carry me hence to Canton, and thence finally back to America.

“ When the people of America become a little more acquainted with the quality of your Indian canvas, I have no doubt of its becoming a considerable article of importation from Bengal to the United States. The difference in the price of your canvas and European duck is incomparably greater than the difference in the value of the canvas. For light sails I should prefer your Bengal cloth to that of Europe. Could you get your workmen into the way of making a greater difference in the numbers, and also to make the filling considerably larger, the canvas would be materially improved, as the cloth invariably split length-ways, owing, in my opinion, to the fillings not being sufficiently heavy.”

The canvas alluded to in the preceding extract, was made in the manufactory of Messrs. Torry and Jones, two ingenious artists at Calcutta.

SACK-CLOTH

At *Bahgalore*, as well as in all the neighbouring country, and, indeed, in almost every part of India, *Goni* is a considerable article of

manufacture. It is a coarse, but very strong sack-cloth, from 18 to 22 cubits in length, and from $\frac{1}{2}$ to $\frac{3}{4}$ of a cubit broad, and is made from the *Janupa*,* or *Cantalaria Juncea*. It is divided into three kinds which differ in value according to their strength, and the closeness of the fabric. The same people, who are a particular cast of men, cultivate the plant, and carry on the manufacture, until the *Goni* be fit for sale, the price of the hemp cannot therefore be ascertained, as it is not sold in that state. The *Goni-maker* hires from some farmers as much high ground, as he thinks will raise a quantity of *Janupa* sufficient to employ his family to manufacture in one year. The soil ought to be red or black, like the best kinds used for the cultivation of *Ragi*. It is allowed no manure, and the seed is sown broad cast on the ground, without any previous cultivation, at the season when the rains become what the natives call male, that is to say, when they become heavy. After being sown, the field is ploughed twice, once lengthways, and once across, but receives no farther cultivation. At other times the *Janupa* is cultivated on rice ground in the dry season but it must then be watered by a canal, or reservoir. It requires four months to ripen, which is known by the seeds having come to full maturity. After being cut down, it is spread out to the sun, and dried. The seed is then beaten out by striking the pods with a stick. After this, the stems are tied up in large bundles, about two fathoms in circumference, and are preserved in stacks, or under sheds. The bundles are taken out as wanted, and put in the water, at which time

* Or *Shanapu*.

time their bands are cut, and the stems being opened out, are kept down to the bottom by stones or mud. According to circumstances, they require to be kept in the water from six to eight days. They are known to be ready, when the bark separates easily from the pith. It is then taken out of the water, and a man, taking it up by handfuls, beats them on the ground, and, occasionally, washes them until they be clean; and, at the same time, picks out, with his hand, the remainder of the pith, until nothing except the bark be left. This is then dried, and being taken up by handfuls, is beaten with a stick to separate and clean the fibres. The hemp is then completely ready, and is spun into thread on a spindle, both by the men and women. The men alone weave it, and perform this labour in the open air with a very rude loom.

RURAL ECONOMY

CHELANDI ARISI.

To the Editor

SIR,—As the most valuable class of cultivators must remain unemployed, until water flows on their fields, and the lower tribes are so poor, as scarcely to procure subsistence even in favourable seasons, it may be of some utility, again to mention the relief obtained by these descriptions of people, towards the eastern extremity of Manara, under circumstances of defective rains, at the season of cultivation, by digging up the *Roots of a grass*, named there *Chelandi Arisi*, and using it as food.

Notwithstanding the publication of this use made of the *Chelandi Arisi* some months ago, I cannot find that any country in the Peninsula, has ever applied it to culinary

purposes, excepting such as I have stated in another paper, so that I have had some difficulty in procuring its proper name, in the different languages spoken on this coast.

As the publication of these names, however, may enable your readers to direct necessitous persons to this Grass root, in case of being otherwise unable to relieve their wants; I am now enabled to inform you, that it is called *Chelandi Arisi*, or Spider's Rice, in the Tamul of Tinnevely, *Pilu arisi*; or Grass Rice, in Carnatic Tamul, and *Toonga Bium*, or cyperus Rice, in Talinga—the word *Toonga* being the generic name of cyperus grass in that language.

In the Sanscrit, I am given to understand, it is called *Poor Bium*. In Talinga, *Bium* is Rice as is *Arisi* in Tamul, but the literal meaning of *Poor*, my source of information has not afforded. As these names however, may serve as an Index in case of necessity, you will oblige me by the insertion of this letter.

Perhaps some of your readers may be able, and desirous likewise, of giving some account of it in the Tamul and Talinga, which would prove a means of making people more readily acquainted with it to advantage. Mr. Duman, at Cuddalore, and Mr. Westcott, at Palcarne, in this neighbourhood, have furnished me with fresh samples collected at those places, and I have reason to think, it exists along the whole coast, although not in such quantity, as on the coast of Manara, where I found it was nourished by the waters of the sea, without depending on rain for its support, and thus becomes an object highly interesting in case of general scarcity.

I A
KEW

KEW NOPAL

"Being credibly informed that not less than 20,000 cattle, chiefly Buffaloes, have lately died within thirty-miles of this place for want of forage, I beg leave to direct attention to the cultivation of a plant sent here by the Honourable Court of Directors, and still known by the name of Kew Nopal—of which that animal is so fond, that I have had some difficulty to preserve even the best-rooted plants from their depredations

"The plantations made in the Northern Circars, were eaten up by the people in the year 1792, when that country was afflicted by famine but in Tinnevely last year, I had plants of it brought me to Tutacoin by the fishermen from different parts of the coast, and at Couttallum, the Collector was so obliging, as to have Kew Nopal plants forwarded from Alva-tinnevely, and other parts of the country, which I took every care in my power to see planted in favourable situations, indeed some of the Polygars thankfully received at my hands seeds of the Bastard Cedar Tree and Guinea Grass, and before I left Couttallum, I had plantations of Guinea Grass made in the Ravines of the mountains at seven different places, that there should remain no chance of its ever being lost in a country where the Months of February, March, April, and May are so hot and dry, that when the rains fall in June, many of the cattle carried out to the plough, unable to return home, are left all night on the open ground.

"J. ANDERSON.

"Jan. 1808."

CULTIVATION OF THE GRAPE

An experiment is now making in the large garden of St Miguel de Souza, at Mazagor, in the cultivation of the vine, which is likely to increase the produce, and considerably lessen the expense which has hitherto attended the raising of the grape in Bombay. An European Portuguese, from the regiments at Goa, thoroughly versed in the husbandry of Portugal, has been brought hither. He has laid out a piece of ground precisely in the style they adopt in that country in arranging vineyards for the production of wine. The soil has been carefully turned up to the depth of 4 or 5 feet, every large stone has been removed, and the vine cutting placed nearly at the same depth. Some agriculturists have doubted the propriety of digging the ground so deep, but when it is considered, that, by this means, the plant has an opportunity of drawing moisture, from a depth where moisture continues long without evaporating, the advantage of it will no longer be called in question. This circumstance also brings to our recollection the practice which we have been informed by travellers in Persia, prevail in that country, of planting the vine at the bottom of a hole six or eight feet deep, and allowing the tendrils to creep on the sides of the pit.

The mode of cultivation here recommended would almost seem to be alluded to in the following lines of the immortal Pope.

"Depending vides the sheltering cavern
screen,

"With purple clusters blushing thro' the
green."

MANURES.

MANURES.

A good deal of attention is paid to manuring the soil. Every farmer has a dunghill, which is prepared by digging a pit of sufficient extent, in this is collected the whole of the dung and litter of the cattle, from the houses where they are kept, together with all the ashes and soil of the family. The straw, and various leaves intended to be used as manures, are never mixed with the dung. The farmers, who are within two miles of the city, send bullocks with sacks, and procure from the *Halal*, or sweepers, the ashes, ordure, and other soil of the town. This also is kept separate from the dunghill. The straws of various crops, as before-mentioned, are reserved for manure, and to these are added various leaves of wild plants,—the *Cogay Sopa*, or *Galega purpurea*, the *Hoingay Sopa*, or *Rolua mitis*, the *Tumbay Sopa*, or *Phlomis exculenta*, of Dr Roxburgh's MSS, the *Ugany Sopa*, a *Convolvulus*, the *Atty Sopa*, or *Ficus glomerata* R., the *Umatty Sopa*, or *Datura metel*, and the *Yeccada Sopa*, or *Asclepias gigantea*. These leaves, and the straw, are the manure given to rice ground in the sprouted seed and transplanted cultivations. When the field has been reduced to mud, a sufficient quantity of the manure is trampled into the puddle, and, with the moisture and heat of this climate, soon acts. The dung in every part of *Mysore* is, most commonly, carried out on carts, which are applied to scarcely any other purpose. The city soil is not only reckoned best for sugar-cane, but is also given to various grains. The use of lime as a manure, is totally un-

known to the natives, who, indeed, consider all ground, naturally impregnated with that substance, as very unfit for most kinds of cultivation. This accords well enough with the theory of Lord Dundonald, who supposes that lime is useful by promoting the putrefaction of inert vegetable matter. The heat of the climate is here sufficient for the purpose, and the lime, which in a cold climate may be necessary, would be here destructive, by exhausting the vegetable matter too quickly.

HIRE OF SERVANTS,
EMPLOYED IN HUSBANDRY

The hire of farmers' labourers at *Seringapatam*, and generally within two miles from the city, when employed throughout the year, is ten *Sultany Fanams*, or 6s 8½d a month. The servant lives in his own house, and it is customary for the master, on extraordinary occasions, such as marriages, to advance the servants money. This is not deducted from his wages by gradual instalments, but is considered as a debt, that must be repaid before the servant can leave his place. In case of the servant's death, his sons are bound to pay the debt, or to continue to work with their father's master, and, if there be no sons, the master can give the daughters away in marriage, and receive the presents that are usually given on such occasions, unless these should exceed the amount of the debt. In harvest, the daily hire of a man is six *Seers of Paddy*. A woman transplanting rice gets daily one-fourth of a *Sultany Fanam*, or about two-pence. The only servant that does work in the house of a farmer

mer is a woman, who comes once a day to sweep the house, and for her trouble receives a piece of cloth once a year. The women of the family cook, fetch water, and perform all other family labour. The servants are both *Súdras* and *Whalharu*, but seven-tenths of the whole are of the former cast.

Six or seven miles from town,

the monthl hire of a servant is eight *Fanams*, or about 5s 4d.—Farther from the city, the hire is one *Fanam*, and eighty *Seers* (or a little more than eleven pecks) of grain, of which one-half must be *Ragy*, and the remainder of such kind as it may be most agreeable to the farmer to spare.

Should he commit the kingdom to his daughter's son or other *remote heir*, although his *own* son be void of offence, then indeed it should be determined as is proposed; but if he make a provision for the support of his other sons, and give his kingdom or other landed property to one son, then the gift is valid according to all opinions; for his family is not *thereby* deprived of subsistence. It is not proper to assert, that he who has power to give away the person of his son, has not power to give away immovable property without the assent of his son.

If, making a provision for sons void of offence, he give his kingdom to his daughter's son, or to a stranger, what is the rule in that case? The gift even of a kingdom is valid, as it is of *other* landed property; for no special prohibition, nor any such usage, is found in regard to kingdoms. But no father, who distinguishes right from wrong, would be so disposed.

If a king paramount, viewing the instances of kingdoms given by a father as above mentioned, give the whole kingdom to one brother, without intending an injury to the rest, he commits no offence, for he is equal to a father. But if the father die after giving away his kingdom, and the king paramount ~~dis~~rect that it should be disposed of according to law; in this case, it does not appear consistent with the reason of the law, that one brother should take the whole, without the assent of the rest.

What is the "subsistence of the family?" speaking of the sons of kings. As much as each consumes in food and apparel: not merely enough to support life; for a man, retiring to the forest, may support life upon leaves, roots, fruit, and the like; and the subsistence of the family, mentioned by all sages, would be unmeaning. But, should

another of the king's sons say, "needing as much food and as much raiment as this anointed brother, I give as much to the poor and helpless: these wants cannot be supplied *out of* that appanage;" his claim should not be admitted by the paramount: no other, not even his father, can be equal to that *consecrated brother*, for the law admits, *that a king is a portion of the divinity of Indra* and other deities, and royalty obtains much reverence. Even *Brahmanas* pronounce the praises of kings: *Brahmanas* reverence themselves, even in the sight of deities, for, to them are duties committed; to them are the *Vedas* intrusted; and to them is great favour shewn by the supreme ruler, because, contemning riches, they accept a subsistence on alms alone, in subjection to others. Thus, in the *Sri Bhagavata*, Krishna says of Sanacha and the rest:

"Sri, for whose momentary regard others perform austerities, deserts not me, (though I need her not,) because I acquire merit from respect *shown* to these, the dust of whose lotos-like feet is holy, and who instantly remove every foulness."

Though some modern priests are, in a certain degree, lessened by their misconduct, still great respect should be shown to them, in honour of former generations, and because it is said by a deity in another *Purana*; "a *Brahmana*, learned or unlearned, is my body:" it is not proper that one bound to respect should notice the faults of a person to whom reverence is due.

From apprehension of offending very great persons, it is not *here* examined whether some modern princes, who are not independent in the government of their subjects, but merely employed in levying the revenue of the paramount, should, or should not, be acknowledged as kings.

POETRY.

SELECT STANZAS, *imitated from* HAFIZ.

THE anguish of love I have borne,
Do not ask me its pains to unfold ;
In absence I've wander'd forlorn,
But that torture can never be told.

Thro' the world without love I had stray'd,
Till at length a sweet ravisher came ;
My heart's warm emotions she sway'd,—
But I cannot reveal her dear name.

In the soft hour of silence last night,
Such words from her lips fell so sweet,
As fill'd my fond heart with delight—
But those words ask me not to repeat.

A lip of the ruby's bright hue,
I have press'd, and the joy thrill'd my heart ;
Tho' I speak of the transport to you,
Whose the lip—I will never impart.

Alone in my cottage retired,
Ah! still there's no end of my woes ;
Such the love which my bosom has fired ;
Such the grief as I cannot disclose.

E. C.

ODE traduite de HAFIZ, par SIR W. JONES.

C'est à toi, matineux zéphire,
A m'apprendre dans quels climats
On voit les ravissans appas
De l'objet pour qui je soupire.

Dans

Dans quels lieux, bravant les rigueurs
De mon implacable fortune,
Trouverai-je la belle lune
Qui détruit ses admirateurs ?

La nuit étend ses voiles sombres ,
Sur la terre est fermé l' effroi ,
Aïman présente devant moi
Sa vallée et ses tristes ombres .
Où se cachent les brillans feux
Dont on vit ces plaines reluire ?
Hélas ! qui vandra me conduire
Vers l'objet de mes tendres vœux.

D'insensés l'univers abonde,
L'homme bientôt perd sa raison ;
On en voit dans cette saison,
Qui cherchent un sage à la ronde.
Heureux qui pénètre l'objet
Du sens caché de mes paroles,
Celui qui les trouve frivoles
Saurait-il garder le secret ?

J'ai mille amoureuses affaires,
A régler avec tes cheveux,
Où sommes nous ? penseur tâcheur ,
Où font tes reproches sévères ?
Ah ! j'ai perdu le jugement !
De tes treffes l'aimable chaîne
A toute heure vers toi m' entraîne :
Où revoir ce lien charmant !

En vain aux plaisirs tout convie,
Les danses, le vin coloré,
Les roses tout est préparé,
Sans toi qu' imparfaite est la vie !
Où te chercher, objet chéri !
En vain Hafiz dans ces bocages
Se trouve à l'abri des orages,
L'épine est au rosier fleuri.

AN

ACCOUNT OF BOOKS

FOR THE YEAR 1800.

The Works of Sir WILLIAM JONES, continued.

WE resume the pleasing task of laying before our readers some account of the contents of the remaining volumes of this universal scholar. In our last publication, we adverted to the contents of the three first volumes three more remain, to conclude our summary analysis.

The 4th volume opens with "the speeches of Isæus, in causes concerning the law of succession to property at Athens, with a prefatory discourse, notes critical and historical, and a commentary." Thus, with the rest of the compositions contained in it, was published previously to Sir William's departure for India.

"Isæus," says our author, "the master of Demosthenes, and the true fountain of that eloquence which afterwards flowed with so impetuous a stream, is by some supposed to have been a Chalcidian, and by others, with greater appearance of probability, an Athenian, but whatever country may claim the honour of being his birth-place, it is certain that he was educated at Athens, where he became famous as a pleader of causes after the close of the Peloponnesian war." The circumstances

of his life are now unknown; and of fifty of his speeches which were extant in the ninth century, the ten translated by our author are all which remain. The writers of antiquity, who have treated so diffusely of the Grecian orators, say little of Isæus. Sir William attributes their silence to this orator "having confined his talents to the narrow limits of the bar, and the composition of forensic arguments; which, however interesting to lawyers, cannot be supposed to attract the notice of scholars in general so much as the pompous and solemn orations on treaties and embassies, or the various events of an obstinate war." Yet the merit of Isæus was recognised by Demosthenes, who chose him for his master in preference to Isocrates, and Dionysius of Halicarnassus declares his opinion, that "the speeches of Lyfias resemble ancient pieces of painting, in the simplicity of their colours, and the graceful correctness of their outlines; while those of Isæus are like the more modern pictures, which are less accurately drawn, but finished with bolder strokes of the pencil, decorated with a greater variety of tints, and enlivened with a stronger

a stronger opposition of light and shade." These speeches furnish the English reader with an agreeable specimen of the forensic eloquence which prevailed at Athens during the most flourishing period of that celebrated republic: they illustrate, in a perspicuous manner, the laws and modes of judicial proceedings, in causes which relate to property and inheritance. "If," says our author, "they should be thought men's; serious, acute, pertinent, and better in most respects than the generality of addresses to an English jury on similar subjects, we shall have a kind of model, by which the student may form himself, allowing for the difference of Athenian laws and manners: and, if they should appear inferior in all these qualities to the speeches usually delivered by our leading advocates, we shall have reason to congratulate our age and country, and to triumph in the superiority of our talents, for our pleaders often make the ablest and most spirited replies, without a possibility of premeditation, and wonderful, indeed, must be the parts and eloquence of those whose unprepared effusions equal or surpass the studied compositions of the ancient orators." A subject of higher triumph is afforded by the superior purity with which the British laws are administered: in Athens, the merits of the case were weighed against merits of a very different description, and the popular topics so frequently introduced by the pleaders evince the force of adventitious circumstances to subvert or modify the fundamental principles of equity. "That their clients had contributed largely to display the expenses of the state, had furnished galleys, served chargeable offices, given handsome entertainments, and lived parsimoniously in private, that they might act libe-

rally in public, while their adversaries either concealed their fortunes, or were remiss and penurious in their contributions," were arguments deemed not unworthy the mouth of the pleader, nor below the attention of the judge. The perusal of these orations tends to confirm the remark of Hume, that, "whether a man was a citizen or a stranger among that people, it seems requisite, either that he should impoverish himself, or that the people would impoverish him, and perhaps kill him into the bargain." Lysias, indeed, mentions it coolly as a maxim of the Athenian people, that, whenever they wanted money, they put to death some of the rich citizens, as well as strangers, for the sake of the forfeiture. We will content ourselves with citing one passage from Iseus, to justify our observation, wherein Theopompas endeavours to exculpate himself from a charge of parsimony, introduced in a cause respecting a landed estate. "When the Prospautian farm," says he, "became the property of my wife, she persuaded me to emancipate one of my sons, that he might continue the name, and preserve the family of her deceased brother Macartatus, not that my parting with that estate might exempt me from serving in public offices—for that made no difference, as I had served before it came to me, and was among the readiest to join in contributions, and to perform all the duties which you required of me, so that this informer most falsely charges me with being an useless, yet an opulent, citizen."

From the forum of Athens we are transported by the versatile talents of our author to the deserts of Arabia; the subtle arguments of the Athenian pleader give way to the bold imagery of the eastern lover. The poems named *Mcallacat*, from
having

having been suspended in the temple of Mecca, were composed previous to the era of Mahommed, and constitute the only literary monument of the ancient manners of Arabia. The Nomadic tribes, who still traverse the sandy deserts, exhibit at this day, a living picture of the state of society described and embellished by the warm imagination of the half-civilized poets. In the delineation of the manners peculiar to roving tribes, the principal charm of these poems must be acknowledged to consist. for the imagery, though rich, is not pleasing, the metaphors are oftener striking than just, and the transitions are too rapid and too distant to be followed without an effort that does violence to the judgment. The poem of Amrîolkais is amatory—it commences with the painful recollection of separation and absence, but the juvenile poet is reminded of former amours, of which the impression seems still stronger than of the last, and consoles himself by reflecting that he is a general favourite of the fair. The recapitulation of his adventures leads to the mention of his horse, which he describes much more particularly than his mistress, but, fortunately, as we think, for his auditor's, the whole party is dispersed by a violent storm, the description of which contains some extravagant imagery and strange associations.

"O friend! seest thou the lightning, whose flashes resemble the quick glance of two hands amid clouds raised above clouds?"

"The fire of it gleams like the lamps of a banquet, when the oil, poured on them, shakes the cord by which they are suspended."

"I sit gazing at it, while my companions stand between Daaridge and Oahab, but far distant is the cloud on which my eyes are fixed."

"Its right side seems to pour its rain on the hills of Katan, and its left on the mountains of Sitar and Yadbul."

"It continues to discharge its waters over Cotain, till the rushing torrent lays prostrate the groves of Canabbel-trees."

"It passes over Mount Kenan, which it deluges in its course, and forces the wild goats to descend from every cliff."

"On Mount Tama it leaves not one trunk of a palm-tree, nor a single edifice which is built by well-cemented stone."

"Mount Teber stands in the height of the flood, like a venerable chief wrapped in a striped mantle."

"The summit of Mogamu, covered with the rubbish which the torrent has rolled down, looks in the morning like the top of a spindle encircled with wool."

"The cloud unloads its freight on the desert of Ghabeit, like a merchant of Yemcr alighting with his bales of rich apparel."

"The small birds of the valley warble at day-break, as if they had taken their early draught of generous wine mixed with spice."

"The brasts of the wood, drowned in the floods of night, float, like the roots of wild onions, at the distant edge of the lake."

As the version is literal, it is much to be lamented that the original Arabic and the English translation were not printed on opposite pages, in this splendid edition of the works of our great Orientalist. It is true, the Arabic is subjoined in Roman characters, but so imperfectly do these represent the original, that they are uninteresting without a constant reference to the translation, more particularly to those who studied Arabic in Hindustân, where the pronunciation is widely different from that adopted by Sir William.

The poem of Tairfa was composed after having lost, by his negligence, his brother's flocks, and experienced the extent of his kindness for his remission. It describes the chains of love and voluptuousness, and the glory resulting from warlike exploits, opposed to the cold-blooded prudence of the mean and avaricious; and prelates present enjoyment to remote prospects of precarious advantage. We have

seen these maxims clothed in the polished graces of Roman verse, by Horace, let the Arabian poet now be adduced, and compared with the disciple of Epicurus :

“ Oothu, who censures me for engaging in combats and pursuing pleasures, wilt thou, if I avoid them, ensure my immortality ?

“ If thou art unable to repel the stroke of death, allow me, before it comes, to enjoy the good which I possess.

“ Were it not for three enjoyments, which youth affords, I swear by thy prosperity, that I should not be solicitous how soon my friends visited me on my death-bed.

“ First, to rise before the censurers awake, and to drink tunny wine, which sparkles and froths when the clear stream is poured into it

“ Next, when a warrior, encircled by foes, implores my aid, to bend towards him my prancing charger, fierce as a wolf among the Gadhah-trees, whom the sound of human steps has awakened, and who runs to quench his thirst at the brook.

“ Thirdly, to shorten a cloudy day, a day astonishingly dark, by toying with a lovely delicate girl under a tent supported by pillars.

“ A girl, whose bracelets and garters seem hung on the stems of Oshar-trees, or of ricinus, not stripped of their soft leaves.”

The poem of Zahair, which was written when the poet had attained a very advanced age, was intended to commemorate the virtues of two patriotic chiefs: the conclusion is prosaic and proverbial; but it opens in a tender elegiac strain :

“ Are these the only traces of the lovely Ommausia? Are these the silent ruins of her mansion, in the rough plains of Derrage and Mothatallem ?

“ Are the remains of her abode, in the two statons of Rakma, become like blue stains renewed with fresh wood on the veins of the wrist ?

“ There the wild cows with large eyes, and the milk-white deer, walk in slow succession; while their young rise hastily to follow them from every lair.

“ On this plain I stopped, after an absence of twenty summers, and with difficulty could recollect the mansion of my fair one, after long meditation.”

From the specimens we have ex-

hibited, our readers will be qualified to appreciate the beauties and the defects of the first Arabian poets, whose compositions have reached us. The sentiments usually breathe a spirit of generosity, gallantry, and valour, suitable to the ardent genius of free and roving tribes; but the incidents, which this state of society must have rendered highly interesting, are obscurely alluded to, and the expression of genuine passion is often suspended, for a tedious and minute description of horses and camels. To deny them all merit, were to be blind to some sublime thoughts and fine verses, but the authors must not be compared with the poets of Greece, of Rome, of Persia, or of India. With the superiority of classic productions of ancient Europe, no person was more deeply impressed than Sir William himself; and who was equally qualified to institute a comparison? “ It must not be supposed,” says he, “ from my zeal for the productions of Asia, that I mean to place it in competition with the beautiful productions of the Greeks and Romans, for I am convinced, that, whatever changes we make in our opinions, we always return to the writings of the Ancients as to the standard of true taste.” It must be remarked, however, that when he wrote the above passage, he was not master of the Sanscrit language; nor had he enjoyed the elegant simplicity of the Hindû drama in the compositions of Calidasa, nor the beautiful lyrics of Jayadeva: yet we cannot doubt that his verdict would have been the same, though this last acquisition must have considerably augmented his esteem for Asiatic literature.

We are next presented with “ Poems, consisting chiefly of translations from the Asiatic language.” So-lima, he informs us, is not a regular

translation from the Arabic; but most of the figures, sentiments and descriptions in it, were really taken from the poets of Arabia. The PALACE OF FORTUNE was taken from a story in the Behardanish of Colonel Dow, but embellished with a variety of descriptions and episodes from other eastern writers. The general subject of the SEVEN FOUNTAINS was borrowed from a story in a collection of tales by Ebn Arabishah, on which an episode is engrafted from the Arabian Tales of one thousand and one nights. The well-known ode of Hafiz, so justly admired, which appears in the Persian Grammar, precedes an elegant imitation of the fourteenth Canzone of Petrarch, and some beautiful paraphrases of select passages in those Sonnets which were composed after the death of Laura, in which the tender languor and querulous softness of that delightful poet are happily infused into English verse. Our insertion of the following ode, translated from the Turkish of Mesihî, will easily be excused by the lovers of poetry, and by those who wish to be acquainted with the style of Lyric composition, now prevalent in the East.

A TURKISH ODE OF MESIHÎ.

I

Hear how the nightgales on every spray
Hail in wild notes the sweet return of
May!
The gale, that o'er yon waving almond
blows,
The verdant bank with silver blossoms
flours:
The smiling season decks each flow'ry
glade.
Be gay: too soon the flow'rs of spring
will fade.

II

What gales of fragrance scent the vernal
air!
Hills, dales, and woods, their loveliest
mantles wear.
Who knows what cares await that fatal
day,
When ruder gusts shall banish gentle
May?

E'en death, perhaps, our valleys will
invade.
Be gay: too soon the flow'rs of spring
will fade.

III.

The tulip now its varied hue displays,
And sheds, like Ahmed's eye, celestial
rays
Ah, nation ever faithful, ever true,
The joys of youth, while May invites,
pursue!
Will not these notes your tun'rous minds
persuade?
Be gay: too soon the flow'rs of spring
will fade.

IV.

The sparkling dew-drops o'er the lilies
play,
Like orient pearls, or like the beams of day.
If love and mirth your wanton thoughts
engage,
Attend, ye nymphs! (a poet's words are
fage.)
While thus you sit beneath the trembling
shade,
Be gay: too soon the flow'rs of spring
will fade.

V.

The fresh blown rose like Zeineb's
cheek appears,
When pearls, like dew-drops, glitter in
her ears.
The charms of youth at once are seen and
past;
And Nature says, "They are too sweet
to last."
So blooms the rose; and so the blushing
maid!
Be gay: too soon the flow'rs of spring
will fade.

VI

See yon anemonies their leaves unfold,
With rubies flaming, and with living
gold!
While crystal showers from weeping
clouds descend,
Enjoy the presence of thy tuneful friend:
Now, while the wines are brought, the
sotas laid,
Be gay: too soon the flow'rs of spring
will fade!

VII.

The plants no more are dried, the mea-
dows dead,
No more the rose-bud hangs her pensive
head.
The shrubs revive in valleys, meads and
bowers,
And every stalk is clad with flow'rs;
In silken robes each hillock stands array'd.
Be gay: too soon the flow'rs of spring
will fade.

VIII

Clear drops each morn impearl the rose's
blossom,
And from its leaf the zephyr drinks
perfume.
The dewy buds expand their lucid store
Be thine our wealth, ye daisies, ask no
more.
Though wise men envy, and though fools
upbraid,
Be gay, too soon the flow'rs of spring
will fade

IX

The dew-drops sprinkled by the muley
gale,
Are chain'd to efferee ere they reach the
dale
The mild blue sky a rich pavilion spreads,
Without our labour, o'er our favour'd
heads
Let others toil in war, in arts, or trade
Be gay, too soon the flow'rs of spring
will fade

X

Late gloomy winter chill'd the fullen air,
'Till Solomon arose, and all was fair
Soft in his reign the notes of love resound,
And pleasure's rosy cup goes freely round
Hie, on the bank, which mantling vines
o'ershade,
Be gay, too soon the flow'rs of spring
will fade.

XI.

May this rude lay from age to age remain
A true memorial of this lovely train
Come, charming maid, and hear thy poet
sing!
Thyself the rose, and he the bud of
spring
Love bids him sing, and love will be
obey'd
Be gay, too soon the flow'rs of spring
will fade.

A Latin version, or rather paraphrase, of the same Ode, is subjoined. We insert the last stanza, for the purpose of comparison

XI.

Hic nec, modis, Melius, melius apta-
bas chelys,
Veriales est poeta, verna cantat gaudia,
Et rosas caput tepentes e pullarum genis
Nunc amandum est, nunc bibendum
florem ver fugit, abi!

The hint of "Arcadia, a pastoral poem," is taken from the thirty-second paper of the *Guadian*. Our readers will doubtless recollect Mr. Addison's beautiful allegory, in

which the palm of pastoral poetry is awarded, after hearing the various claimants. On this subject, Sir William has composed a fine poem; but the simple charms of Addison's prose is scarcely compensated by the polished graces of our author's muse.

The first idea of *Caissa*, or the game at Chess, was taken from a Latin poem of Vida, entitled *Scacchia Ludus*; but most of the descriptions, and the whole story, are our author's. It reminds us of the *Raree* of the Lock, in which a game at ombre is agreeably described, in all the majesty of heroic verse:

Long time the war in equal balance
hung,
Till, unforeseen, an ivory courier sprung,
And, wildly prancing in an evil hour,
Attack'd at once the monarch and the
tower
Sirena bluish'd, for, as the rules requir'd,
Her injur'd lover reign to his tent retir'd,
Whilst her lost castle leaves her threat-
ning height,
And adds new glory to th' ev'ling
knight.

"*Carminum Liber*" consists of elegant compositions in Latin verse: some are original, others, translated from the Persian and Arabic, and one of the most beautiful, from the Chinese. "An Essay on the Poetry of Eastern Nations," was written before our author had an opportunity of studying Sanscrit. *Yemen*, or *Arabia Felix*, lies between the eleventh and sixteen degrees of north latitude, under a serene sky, and exposed to the most favourable influence of the sun: it is inclosed, on one side, by vast rocks and deserts, and defended, on the other, by a tempestuous sea. The name of *happy*, bestowed on it by the ancients, probably alluded to the valuable spice-trees and balsamic plants that grow on it, and, without speaking poetically, give a real perfume to the air. "Now it is certain," says Sir William, "that all

poetry

poetry receives a very considerable ornament from the beauty of natural images, as the roses of Sharon, the verdure of Carmel, the vines of Engaddi, and the dew of Hermon, are the sources of many pleasing metaphors and comparisons in the sacred poetry—thus the odours of Yemen, the musk of Hadramut, (we apprehend the musk deer is not a native of Arabia,) and the pearls of Oman, supply the Arabian poets with a great variety of allusions; and if the remark of Hermogenes be just, that whatever is delightful to the senses produces the beautiful when it is described, where can we find so much beauty as in the eastern poems, which run chiefly upon the loveliest objects in nature?" Demetrius Phalereus assigns thus as the reason why the poetry of Sappho is so universally admired. "It contains," says he, "the description of gardens and banquets, flowers and fruits, fountains and meadows, nightingales and turtle doves, loves and graces." In addition to the beautiful objects which the surrounding scenery suggests to the imagination of an Arabian poet, may be mentioned, the singular state of society which still prevails among the Nomadic tribes, who dwell constantly in tents, and remove from place to place according to the seasons. "Except when their tribes are engaged in war, they spend their days in watching their flocks and camels, or in repeating their native songs, which they pour out almost *à l'improvise*, profounding a contempt for the stately pillars and solemn buildings of the cities, compared with the natural charms of the country, and the coolness of their tents; thus they pass their lives in the highest pleasure, of which they have any conception, in the contemplation of the most delightful objects, and in the enjoyment of perpetual spring." Thus

eloquent eulogium on the condition of the half-savage tribes of wandering Arabs, almost makes us to join in the exclamation of Voltaire, after reading Rousseau's ingenious rhapsody on the happiness of man in the first stages of society. "Jamais n'avoise je tant d'envie, de marcher à quatre pattes!" "Never had I so great an inclination to creep on all fours!" We are very ready to admit, however, that the state of society amongst the Arabs might be highly favourable to poetry. Yet we recollect none which it has produced of uncommon merit, if those which compose the Moallakat be excepted: for the later productions of the Arabian poets were written by courtiers and literati, at the courts of the Khalifs, and other princes; nor will these, in our opinion, justify the preconception which our author's observations might excite. "When the religion and language of Mahommed were spread over the greater part of Asia, and the maritime countries of Africa, it became a fashion for the poets of Persia, Syria, Egypt, Mauritania, and even of Tartary, to write in Arabic, who have done little more than imitate the style and adopt the expressions of their models." It probably escaped the attention of the editors to rectify an important mistake into which Sir William has inadvertently fallen in this Essay. "The descendants of Tamelane carried into India the language and poetry of the Persians; and the Indian poets, to this day, compose their verses in imitation of them." Again, "The Indians are fond of poetry, which they learned from the Persians." Before the birth of Tamelane, the Patan princes of Delhi and of the Deccan, had introduced the Persian language and poetry into Hindustan; many fine poets flourished at their courts,

amongst whom may be mentioned Mir Khusrû, whose verses are still read with rapture in the east. The Hindûs had poets before the Persians, nor have the former in any respect borrowed from the latter; but the Indians, to whom our author alludes, are the Mahommedan natives of India, whose compositions are usually in Persic. and even when they write in Hindûvi, they adopt the measures and expressions of the Persian poets. "Essay on the Arts commonly called *imitative*," "The Muse recalled, an Ode on the nuptials of Lord Viscount Althorp and Miss Lavinia Bingham, eldest daughter of Charles Lord Lucan," "An Ode in imitation of Alceus," "An Ode in imitation of Callistratus," "The Principles of Government, in a dialogue between a Gentleman and a Farmer," "The character of John Lord Ashburton," "Ad Libertatem, Carmen;" though all excellent in their kind, it would exceed our limits to advert to separately. The latter breathes the manly spirit of liberty and independence, such as they were conceived in times more favourable than the present for their growth and advancement.

"*Lettre à Monsieur A—du P.*" The vanity and petulance discovered by M. Anquetil du Peron, in his Zendavesta, provoked our author to adopt a tone of sarcastic severity, of which the rest of his writings furnishes no example. The arguments alleged by Sir William against the authenticity of the works attributed to Zoroaster are two. first, their extreme absurdity, unworthy the character of a law-giver, and the reputation which Zoroaster held amongst the philosophers of antiquity; secondly, that a prodigious number of Arabic words are mingled with the Zend. Now, as Zoroaster did not understand Arabic, it follows that the works

attributed to that legislator are forgeries of the modern Guebres. Both of these arguments must be allowed strongly to invalidate the authenticity of the works in question. We have devoted considerable attention to the perusal of the *Vindidad Sade*; and our conclusions are in all respects conformable to the opinion of our author. The Guebres, it is probable, have retained no other traces of their ancestors, than some remains of their language, and some vague traditions: the former we infer from a striking similarity it bears to the Sanscrit, of which M. Anquetil was indisputably ignorant when he published his *Zendavesta*, although we understand he has since compiled a Sanscrit dictionary.

The 5th volume is written almost wholly in the French language, and dedicated to his Majesty the King of Denmark. It comprises a translation from the Persic of the life of Nadir Shah. The original work was written only twelve years before the appearance of its translation, by Mirza Mahommed Mahadi Khan, a native of Mazenderan, Sir William conceives the author not to have been a military man, from the title of *Mihrza*, which, when prefixed to the name, signifies, says he, a man of letters. This observation is unquestionably erroneous: the grandsons of Timur had all of them their title prefixed, but, except Ulug Beg, they neither were nor desired to be considered as literary characters. We will endeavour to submit to our readers a succinct biography of Nadir Shah, whose conquests and whose cruelties were at once the admiration and dread of all Asia. In executing this design, we shall not limit ourselves to the information furnished by his historian, but avail ourselves of other sources which may tend to elucidate the life and actions of

ACCOUNT OF BOOKS.

this fatal conqueror . the work of Mirza Mahadi is composed in a strain of high panegyric; we may learn from others to appreciate the value of his encomiums.

Nadir Culi Beg was born at Duffghird Dérégez, a small fort not far from Meshed, the present capital of Khorasan, which attracts at this day, from all parts of Persia, the pious votaries of Ally to visit the consecrated shrine of Inam Ali Reza. His parentage is overlooked by his historian, whence we may conclude it was a mean one, and that Mr. Frazer is mistaken in asserting that his father was governor of the fort, but it is certain that he was of the tribe of Afshar, a race of Turcomans, who in summer tended their flocks on the plains of Meru, and in winter retired to the village which surrounded the fort of Dérégez. In 1712, he married the daughter of Baba Ally Beg, one of the principal Afshars of Abiverd, Mr. Hanway says, by the murder of her father: our historian asserts that Ali Beg preferred him to a number of rivals. By this lady Nadir had the prince Reza Culi Mirza, who was born in 1718. The steps by which he rose to authority are indistinctly related by Mirza Mahadi, who is silent with regard to the signal victory he gained over the Uzbecks, with very unequal numbers: this silence leads us to doubt the fact, particularly as it does not appear that he ever was in the service of the governor of Khorasan, as stated by Hanway and Frazer. Be this as it may, it is certain that he had acquired an extensive influence over the wandering tribes of Afshars, Curds and Gelair, and had reduced several strong holds, particularly Abiverd and Kelat, to obedience, before he commenced hostilities against Malic Mahommed Sistani, who had erect-

ed an independent government in the city of Meshed. But the artillery of Malic dispersed the undisciplined followers of Nadir, who retired to Abiverd, and added the forts of Necakilla and Bagvada to those he already possessed in that quarter. Soon after he made himself master of the city of Meru, which had solicited protection from the enterprises of Malic, but the latter was now threatened with an attack from a different quarter. Shah Tahmasp, king of Persia, was on his march to reduce this rebellious chief, and summoned Nadir to attend him at the head of his followers. After quelling an insurrection which menaced with ruin that unfortunate prince, our hero joined the Persian army with his band of Afshars and Curds, and marched to lay siege to the city of Meshed. Whilst they lay before the city, Futteh Ally Khan, general and prime minister to Tahmasp, was assassinated, and Nadir succeeded to these high offices. His historian imputes the murder to Tahmasp, but Hanway, with greater probability, to the unprincipled ambition of Nadir Culi. Having now conducted our hero from his humble origin to the most distinguished station, it will be proper to take a retrospective survey of the state of Persia a few years previously to this event.

At the commencement of the eighteenth century, the sceptre of Persia was feebly swayed by the luxurious and indolent Shah Husein, a prince of the house of Sophi. The eunuchs of the palace had acquired an entire ascendancy over the mind of this imbecile monarch: every thing was venal at the Court of Isfahan; and subjects and strangers seized with little opposition on portions of that dominion which the sovereign scarcely strove to defend. The Russians extended themselves
alon

along the shore of the Caspian, the Turks took possession of the western provinces, the Abdallies seized on the city and territory of Herat, Malic Mahmud asserted his independence in Mushed, and the Afghans under Mir Wais erected an hereditary principality in Candahar, which was destined soon to overthrow the tottering structure of the empire. In 1720 Mahmud, the son of Mir Wais, conquered Carman, two years later he attacked Ispahan, and after a siege, the horrors of which exceed all description, wrested the crown from the house of Hussain. Before the surrender of the place, Shah Tahmasp, the son and declared heir of that prince, had escaped from the city, the rest of the royal family, Hussain excepted, were put to death; Shiraz and the intermediate territory were added to the dominion of the Afghans, when Mahomed was seized with a disorder which deranged his intellects, exhibiting a singular proof of the vicissitudes of fortune. His nephew, Ashraf, was chosen to succeed him by the military, whom he had gained to his interests; and the murder of his uncle Mahmud, was the bloody auspices under which he mounted the throne. This event took place, according to Mirza Mahadi, in 1723; according to Krusinski and Hanway, in 1725, as Krusinski was then at Ispahan, it is probable his date must be correct.

Shah Tahmasp inherited the insecurity of his father: he repaired first to Cazin, being pursued by the Afghans, he retreated still farther into Armenia, where his impolitic conduct disgusted those it was his business to conciliate. From Armenia he went with a small body of troops into Mazanderan, which province, and Asterabad, were all which remained to the house of So-

phi in 1725, when Nadir Culi was raised to the office of minister and commander in chief at the gates of Mushed. This place was taken in the same year, and Malic Mahmud assumed the habit of a devotee. In 1726 a rebellion of the Kurds occupied our hero during the greater part of the year. Sencau and other strong holds, possessed by the Afghans, were reduced, when Nadir was attacked by a party of 8000 Afghans from Herat, whom he obliged to retreat. But the courtiers of Tahmasp had long rendered their weak prince sensible of the ambitious designs of Nadir, they endeavoured to excite insurrections against his authority, and were successful. the year 1727 was spent in reducing the rebellious Kurds, after which, marching into Mazanderan, he dispossessed the officers who were appointed by Tahmasp, and substituted persons more attached to his own interest. In 1728 Nadir marched against the Abdallies of Herat, and in this successful campaign defeated that warlike tribe in three different engagements, after which he reduced the city. Leaving a strong garrison for the security of this important conquest, our hero returned to Mushed, but had scarcely reached it before he obtained information of an attack more formidable than any he had yet encountered. Ashraf had concluded a treaty with the Turks, and was already on his march to oppose his victorious Afghans to the Persian army under Nadir. The latter lost no time in preparing to receive him, but immediately marched to Damgan, where the Afghans sustained a signal defeat, after which Ashraf retired to Ispahan. Nadir pursued his success, forced a dangerous mountain pass, and again defeated the Afghans, thirty miles east of the capital

tal of Persia. Ashruf now took flight with the remains of his army, and repaired to Shiraz, whilst Nadir placed Tahmasp on the throne of his ancestors, after the Afghans had ruled and ravaged Ispahan during a period of seven years. When the necessary arrangements were settled at Ispahan, Nadir proceeded against Shiraz, a desperate engagement took place in its vicinity, which terminated in the total defeat of the Afghans, when Ashruf, thinking himself unsafe in the city, fled with a few followers into Carman, leaving the province of Pais in the hands of the conqueror. This event is said by our author to have happened in January 1729, but Hanway and Frazer place it a year later.

In 1729, (or 1730, according to the English writers,) Nadir took undisputed possession of Khuzistan for Shah Tahmasp marching from Shiraz, to expel the Turks from the provinces of Persia which they had occupied, he passed through Shuster (the capital of Darius), Khor-mabad, and Carmanah, here he received a formal resignation in his favour, from Tahmasp, of the provinces of Khorasan, Mazenderan, Sistan and Carman. He defeated the Turks near Nehavend, and again at Melan, these victories put him in possession of Hamadan (the ancient Ecbatana). proceeding to Tauris, he encountered the most formidable army which the Porte could raise in that quarter, a signal victory preceded his entrance into Tauris, which completed the conquest of Azerbaijan, and terminated the progress of Nadir in that direction. A more immediate danger solicited his attention elsewhere. Ashruf was put to death in his flight by a nephew of Mahmud, whose brother Husein now ruled in Candahar, and insti-

gated the Abdallies of Herat to revolt. This tribe marched against Meshed, and defeated the governor, but, unable to reduce the place, they retired, after laying waste the adjacent country. On receiving this intelligence, Nadir, after placing a strong garrison for the defence of Tauris, began his march for Meshed, which he reached before the close of the year.—The whole of the next year was spent in reducing the Abdallies of Herat, the strength of the place by nature and art, the number, the valour and despair of the garrison enhanced the difficulty of the attempt: ten months had elapsed before famine forced the Abdallies to throw open their gates, and the inhuman conqueror caused numbers to be massacred, amongst whom the English writers include the governor, though that is denied by Mirza Mahadi. In the mean time, Shah Tahmasp, desirous of completing the expulsion of the Turks from the Persian territory, had advanced with an army of 80,000 men to the walls of Erivan, without encountering opposition. But the Persian troops were successful only under Nadir, the King was defeated and put to flight, and thought himself fortunate in concluding a peace, by which the Aras Ataxes was declared the common boundary of the empires. This peace Nadir, who had returned to Meshed from the conquest of Herat, refused to ratify, and with a very powerful army marched to Tauris in 1731, (according to Hanway and Frazer in 1732.) At his approach the Russians evacuated the province of Ghilan, and Nadir changed his route for Ispahan, where, finding Tahmasp altogether averse to his designs, he deposed that weak prince, and sent him in luxurious confinement to the citadel of Meshed. His son,

son, an infant of eight months, was proclaimed King by the title of *Shah Abbas the Third*. Nadir Culi having thus assumed the sole government, marched towards *Carmanah*, and before the end of the year reduced the strong fort of *Zehab*, defended by a Turkish garrison.

In 1732, (or 1733,) Nadir marched to *Kercuc*, and, after laying waste the country in that quarter, proceeded along the banks of the *Tigris* to *Bagdad*. Having with much difficulty thrown a bridge across the river, he had completed the blockade of the place, when intelligence was received that *Topal Osman Pacha* was arrived at *Kercuc* with a prodigious army to raise the siege. Leaving a force sufficient to keep up the blockade, he marched against the Pacha, the contest was long doubtful, but the Persians, fainting with thirst, (having been excluded from the river,) at last gave way, and suffered a total defeat. Nadir endeavoured to repair this misfortune at *Hamadan*, by collecting troops from all quarters, and again marched to try the event of another engagement with the Turks: by a feigned retreat he enticed them from their strong intrenchments at *Kercuc*, and falling upon them suddenly, gained a complete victory, in which their general lost his life. He now renewed the blockade of *Bagdad*; but, the commandant producing powers to conclude a peace, *Canja*, *Shirvan* and *Teflis* were restored to the empire of Persia, and the siege of *Bagdad* was raised.

In 1733 (or 34,) Nadir was occupied in reducing the rebellious governors of *Khuzistan* and *Fars*, who had been recently appointed by himself; having completely succeeded in effecting this object, he returned to *Ispahan*. But the

Turkish governors who ruled the northern provinces restored to Persia by the treaty of *Bagdad*, procrastinating the cession, Nadir determined to take possession in person, and, marching with his warlike followers, crossed the *Aras* and the *Ker*, (the *Araxes* and *Cyrus*), and defeated and dispersed the *Leczis*, a tribe who inhabited the mountains of *Daghistan*, after which he laid siege to the city of *Ganja*. The fortifications of this city being in good order, the commander brave, and the season extremely severe, Nadir foresaw that the siege was likely to prove of long duration: he therefore left a part of his army to conduct it, detached a considerable force to reduce *Teflis*, the capital of *Georgia*, and marched with the remainder towards *Cars*, a city of *Armenia*, where *Abdalla Pacha* had collected the whole of the Turkish forces, which composed an army of double the number of the Persian troops. His march was obstructed by the depth of the snow, but in the spring of 1734 he reached *Cars*; the Pacha declining an engagement in the field, Nadir returned to besiege *Erivan*, the capital of *Armenia*. The Turks, mistaking the cause of his retreat, marched from their entrenchments, and surrounded the Persian army; but, after a desperate combat, in which *Abdalla* was slain, the Turks were totally routed. This complete success was followed by the immediate surrender of *Erivan*, *Ganja* and *Teflis*, where our hero repaired soon after, and spent the remainder of 1734 in expelling from *Daghistan* the Turkish partizans who had been active in exciting commotions. The evacuation of *Deibend* and *Badcu* by the Russians was a consequence of these victories.

The plains of *Mogan*, abounding in

in rich pastures, extend along the southern bank of the river Aras, or Araxes. here Nadir had caused magnificent accommodations to be erected for a general council, convoked from all parts of Persia. In this council he stated, that, Persia being now rescued from a foreign yoke, it became necessary to choose a sovereign capable of maintaining her independence, and that his own wish was now to retire from a public life. Mr. Hanway says, that Shah Abbas died a few months before • be this as it may, the council were unanimous in declaring Nadir the only person to whom the crown could safely be confided, and with feigned reluctance he was induced to accept of the honours of royalty, in addition to the functions which he had long exercised. The ceremony was performed at Cazvin in 1735 according to our author, or a year later by the accounts of the writers so frequently cited. The first act of his administration was the abolition of the sect of Shi'as, by an edict, directing a general conformity in the religious tenets and ceremonies of all believers in the Prophet. After reducing the revolted tribe of Bactyars, he commenced his expedition against the Afghans of Candahar, and before the end of the year reached Sistan in his route to that place.

The year 1736 was spent in the siege of Candahar: the Afghans, conscious they had merited no clemency, fought with the fury of despair; but on the military operations of the siege we shall not here expatiate. During this blockade the Persian officers detached against the Balochis completely reduced that savage people, whilst the prince Reza Cult, penetrating with a considerable force to the banks of the Oxus, captured Balkh, and defeated the Uzbecks, headed by Abul

Fyz Khan, king of Bockhara, in a pitched battle.

In 1737 the fort of Candahar was taken by storm, and the garrison, with few exceptions, put to the sword; that strong fortress was totally demolished, and the inhabitants of the town removed to a new city named, from its founder, Nadirabad. After the conquest of Candahar, our hero prosecuted his march eastward, took possession of Gazna, and, entering Hindustan, reduced the fort of Cabul. The motives for commencing hostilities against M'hommed Shah, emperor of Hindustan, are thus stated by Mirza Mahadi, and admitted by all the writers of India to have been well founded. Two applications had been made by Nadir to that prince, to station a force on his frontiers, to prevent the flying Afghans from taking refuge in Hindustan. This had been promised, but neglected: and, during the siege of Candahar, a special messenger had been dispatched with renewed solicitations and orders to bring back a definitive answer in forty days; but, though a twelve-month had now elapsed, the messenger had scarcely been able to obtain a hearing from that indolent prince, or his negligent ministers. From Cabul, Nadir again dispatched a confidential servant, escorted by a small party of Cabul horsemen, to learn the cause of the delay. these were intercepted in the route to Delhi, and most of them put to death. To these causes the historians of Persia and India attribute Nadir's expedition into Hindustan; but Colonel Dow and Mr. Frazer impute it to the perfidious promises and solicitations of Nizam ul Muluc and of Sader Khan, without producing any proofs of such signal treachery. Yet it is difficult to imagine what these noblemen could propose

propose to themselves by such a measure: in high favour with their weak and indolent sovereign, the subahdars of Deccan and of Oude had little to hope, but much to apprehend, from the success of a Persian invasion. Crossing the Attock at Peshawer, Nadir prosecuted his march to Lahore, where the ill paid and worse disciplined bands of the Subahdar were incapable of resisting the Persian veterans, and the close of the year saw our hero in tranquil possession of the whole subah.

The events of the year 1738 are too well known to require more than a brief recapitulation. At Serhind, Nadir learned that Mahommed Shah was encamped near Carnal, in a position defended by nature and art. He marched to that vicinity, and endeavoured in vain to bring on a general engagement. Seadet Khan soon after joined his sovereign with the forces from Oude, his baggage was attacked, and the Subahdar marched with what forces he could collect to regain it, Nadir supported the Persian detachment, the Visier marched out to the assistance of Seadet Khan; the battle became general, and terminated in the total defeat of the Indian army, the Visier died next day of his wounds. Seadet Khan was carried a prisoner to the Persian camp. Next day negotiations for peace were set on foot by Nizam ul Muluc; Mahommed Shah submitted to the conqueror, and, after some delay in adjusting the terms, the Persian army marched to Delhi. At the celebration of the Aid al Zoha (the feast of sacrifice) a report was spread through the city that Nadir was dead, the people armed and assassinated the Persian soldiers dispersed through the

dead. The treasures collected by Nadir from this expedition have been estimated at one hundred and twenty millions sterling, and the provinces west of the Indus were ceded to the empire of Persia. After these arrangements, Nadir restored his crown to Mahommed Shah, who bestowed a princess descended from Shah Jahan on Nahirula Mirza, the second son of the conqueror, who before the end of the year reached Cabul, loaded with the spoils of Hindustan, when he shaped his course to take possession of Sind, ceded by the treaty with Mahommed Shah. The flight of the governor Khodayar Khan, his pursuit and capture, and reducing several strong holds in that province, furnished employment for the year 1739.

In the year 1740, Nadir put in execution his long projected expedition into Turan, he reached Balkh in the month of July, that city and district (comprehending the ancient Bactriana) having been reduced previously by his son, Reza Culi. Abul Fyz Khan, a descendant of the conqueror Ghenghiz, then ruled in Bokhara, this prince having submitted, was allowed to retain his territories, and his daughter given in marriage to Ali Culi, a nephew of Nadir. But Ilbars Khan, who reigned over the Uzbeks of Khuarezmi, trusting in the remote situation and inaccessible fastnesses of his country, refused to bend to the yoke, and drew upon himself the vengeance of this fatal victor: defeated in the field, Ilbars took refuge in a castle, which was at length forced, and the Uzbek prince put to death. Kheyu, the capital of Khuarezmi, was besieged and taken, and many of its inhabit-

kingdom of Khwarezm was conferred on Tahir Khan, a cousin of the king of Bokhara, and, like him, descended from Ghenghiz. Nadir Shah reached his capital, Meshed, before the close of the year.

In 1741 Nadir marched from Meshed to reduce the Leczis, who had revolted in Daghistan, situated on the western shore of the Caspian. In his route through Mazenderan, an unsuccessful attempt was made to assassinate him. This attempt, Mirza Mahadi informs us, was made by a servant of Aca Mirza, chief of the tribe of Temni, who was punished on confession. Mr Hanway relates, that the prince Reza Culi Mirza was the author of this attempt to assassinate his father: the cruel punishment of loss of sight, soon afterwards inflicted on this prince, affords some confirmation of the fact. Previously to his arrival, the greater part of Daghistan had been reduced by his officers, but the abrupt and snow-covered frontiers of Circassia still harboured many tribes who continued to assert their independence. The year elapsed in fruitless endeavours to effect their entire subjection. The whole of the next (1742) was employed in the same manner, but having at last reduced Kara Kital, the principal strong hold of the insurgents, he returned to the plains of Mogan, whilst the roads were covered with snow to a great depth.

Nadir had long solicited the Porte to consent to the establishment of a fifth sect, which might be named from Iman Jaffer, and include the Persians, (who had hitherto been considered heterodox,) amongst the true believers of the religion of Islam: for this purpose

Signior and the Muffies of Constantinople refused their consent to this proposal, and Nadir determined to try the effect of hostilities. Entering the Turkish dominions he took the city of Kercuc, and advanced as far westward as Musul, (the ancient Nineveh,) to which he laid siege; but proposals for an accommodation being made, Nadir led his troops in a pacific manner to the vicinity of Bagdad. But in this year (1744) various insurrections were excited, the Leczes had again revolted in Daghistan, the province of Shirvan took up arms in behalf of a pretended son of Shah Hussein, and the governor of Fars, Tuckhi Khan, had hoisted the standard of revolt in Shiraz. Detachments from the main army were sufficient to quell these partial disturbances.

In 1744 the Porte openly espoused the pretension of Sofi Mirza, a second pretended son of Shah Hussein, and by its emissaries endeavoured to unite the inhabitants of Georgia and Daghistan in his favour. Nadir marched against Cars, to which he laid siege, but an accommodation being proposed, he led his army into Daghistan to punish the insurgents, who thought themselves secured by the inclemency of the season.

In 1745, the Turks, after great preparations, advanced towards the frontiers of Persia, on the side of Cars, whilst another army was destined to invade the southern provinces, from Bagdad. On receipt of this intelligence, Nasirula Mirza was detached against the latter, whilst Nadir in person marched from Erivan to meet Mahommed Pacha, at the head of an army consisting of 100,000 cavalry and 40,000 foot. The armies met near

disastrous to the Turks, they were defeated, but the Pacha, rallying his forces, saved them by a skilful retreat from total destruction. Nadir was preparing for a second attack, when he learned that they had murdered their general and were dispersing in the utmost confusion. In the midst of this disorder, the Persians fell upon them and cut most of them to pieces. About the same time the prince Nasirula Mirza totally routed the southern army in the vicinity of Muid. Having now nothing to apprehend from that quarter, our hero marched to Isfahan, whence he returned to Meshed, the seat of his government, before the end of the year. The next, (1746), was not distinguished by any remarkable military operations: a treaty of peace was at last concluded with the Porte, in which the establishment of a fifth sect of Moslems was not insisted on by Nadir. The terms were arranged at Isfahan, where the Turkish officers had repaired with the requisite powers.

Of the catastrophe which in 1747 terminated this eventful history, no very distinct account has hitherto appeared. After the expedition to Khwarezm, says his historian, the character of Nadir Shah seemed entirely changed: he became cruel, jealous and tyrannical; blood flowed on every side, the slightest incident awoke suspicion, and suspicion was certain death. But, from the hour in which Reza Culi Mirza was deprived of sight by the orders of his father, remorse inflamed his sanguinary temper, his rage became ungovernable, and friends and foes were alike exposed to its fatal stroke. Insurrections broke out in several parts of his dominions: marching to Meshed, Nadir found the utmost disorder prevalent

in his capital; he sent the princes to Colat as a place of security, dispatched his nephew, Ally Culi, to quell a revolt in Sistan, and proceeded in person against the Kurds, who were in arms near Khabushan. On his arrival at Sistan, Ally Culi joined the insurgents, and at his instigation, when the main army had reached the vicinity of Khabushan, three principal officers entered the tent of Nadir on the night of the 8th June 1747, and put a period to the life of this conqueror. A party was immediately detached to Colat to seize the princes; they made their escape from the fort, but being pursued, were taken, when Reza Culi Mirza, Nasirula, and Iman Culi suffered the fate of their father. His favourite grandson, Shahrokh Mirza being then only fourteen years of age, was reserved for a still severer trial.

Thus fell the hero whose undaunted valour and consummate military talents expelled the invaders of his country, by rendering the Persian troops superior in the field, to those by whom they had been uniformly vanquished, whose conquests caused a revolution at Constantinople, and overthrew in Persia the dynasty of Soffi, to whose generosity the descendants of Ghenghiz and Tamerlane owed their restoration to the thrones of India and Bokhara. But his laurels were stained with blood, he substituted tyranny for anarchy, and his reign was as fatal as the disorders which preceded it. His biography comprehends a summary history of Asia, till the middle of the present century.

“Traité sur la Poésie Orientale.”—The vivid images which embellish the poetry of the Asiatics are attributed by our author to their rich and copious idioms, to their mild and fertile climates; to the beautiful objects which nature has placed

placed in their view, and to the tranquil leisure devoted to the tenderest of passions. "Those," says Sir William, "who admit the justice of this remark, will not be surprised that the oriental poets surpass, in beauty of diction and strength of imagery, all the authors of Europe, excepting the lyric poets among the Greeks, Horace among the Romans, and Marino among the Italians." After several fine illustrations from the Arabian and Persian writers, he proceeds to consider oriental poetry in its six sources, "the military virtues, love, grief, instruction, reproof, and panegyric."—1st, The Arabians possess no epic poem in their language, the *Shahnama* of Ferdusi is the only eastern composition which merits that title, though both Persians and Turks have many poems which relate to military achievements, but blended with fabulous incidents of a different nature. The beauties of Ferdusi are considered as classed under the several heads of fable, characters, descriptions, and expressions, and are conceived by our author to be surpassed only by Homer. 2d, Amatory poems constitute the prevailing mode of composition in the east: the Arabs, Persians, and Turks, celebrate in their gazels the praises of love and wine; and the charms of voluptuousness are sung in innumerable verses, full of delicacy, of imagination, and of passion. The Persians are thought by our author to excel their rivals in the beauty of their odes, and he compares the poems of Hafiz with the admired productions of Anacreon and Sappho. 3d, Elegiac poetry. "We find no elegies in the Persian collections, and very few in those of the Turks." We cannot help regarding our author's assertion as much too general. for although we admit that the poems

named *Casida*, which have been translated elegy, are not all of an elegiac nature, yet we recollect several *Casida*, of Sadi and other writers, which are strictly conformable to our ideas of an elegiac poem. Some fine specimens are given from the Arabic. 4th, The moral productions of the Asiatic muse are both numerous and excellent. 5th, Satires are also very numerous, and more remarkable for caustic severity than delicate reproof: they are mostly personal, sometimes they ridicule the inhabitants of a particular city; but there are few general satyrists in the style of Juvenal and Horace. 6th, Panegyrics. These, as Sir William observes, are the most common of any, for "in general the works of the Asiatics begin by the praises of the divinity, then comes that of the prophet, followed by those of their protectors." We may add, that these panegyrics are usually the worst poems in the collection, abounding in servile flattery and hyperbolic eulogies, without discrimination of character or situation.

"Odes D'Hafiz."—Several late writers have been at much pains to explain to the public the causes which render it so difficult to transfuse the beauties of Hafiz into English verse. and, indeed, the specimens they exhibit, prove that it is no easy matter to them. Sir William speaks little of the difficulty: he translates some of the odes, and, whether into English or French, his translation always conveys a lively image of the original.

ODE X.

"O Toi, léger & doux Zéphire,
Quand tu passes par le séjour
Où l'objet de mon tendre amour
Entouré des grâces respire,
Fais qu'au retour, selon mes vœux
Ton haleine soit parfumée
De cette senteur embaumée
Qu'épand l'ambroisie des cheveux.

11. "Que

11

“ Que de son souffle favorable
Mon être seroit ramené,
Si par toi de mon bien aimé
J’avois un message agréable !
Si trop faible tu ne peux pas
Porter ce poids, a ma prière
Jette sur moi de la poussière,
Que tu recueilles sous tes pas

111

“ Mon ame languit dans l’attente
De son retour si desiré
Ah ! quand ce village adoré
Vieudra-t-il la rendre contente ?
Le pin fut moins haut que mon cœur,
A présent au faule semblable,
Pour cet objet incomparable
Il semble d’amoureux aïdour.

11

“ Quoique celui que mon cœur aime,
Pour ma tendresse ait peu d’égards
Hélas ! pour un de ses regards
Je donnerois l’univers même
Que ce seroit un bien pour moi,
Puisqu’à ses pieds le sort m’enchaîne,
De n’avoir autre soin ni peine,
De ne vivre que pour mon roi ”

“ Dissertation sur la Littérature Orientale.” An eloquent defence of oriental literature against the attacks of petulant critics, prone to censure what they do not understand. The histories of Ebn Arabshah, of Abel Fedr, of Isfahani, Mirkhond, and Noveiri, comprise information highly interesting to the general scholar; the eastern apologies inculcate in the most impressive manner the purest morality. In poetry the Asiatics have attained the highest excellence; in proof of which our author ventures to compare an ode of Hafiz with the 3d ode of the 1st book of Horace. An animated exhortation to princes, to encourage oriental learning, by the erection of colleges, and the printing of manuscripts, concludes the dissertation.

“ An Introduction to the History of the Life of Nadir Shah, containing, 1st, a Description of Asia, according to the oriental geographers: 2d, a short History of Persia, from the earliest times to the present century.” The first of these may still be

advantageously consulted by persons unacquainted with Asiatic geography, some particulars our author’s subsequent information would have enabled him to correct: Mabar, which he places on the Ganges, is a corruption of the name Malabar, Manfura, which he says was the ancient name of Surat, is Bhacer on the Indus, Surat being a very modern city. The brief chronological history of Persia which follows, from the impossibility of procuring better data, is constructed on the following principle. “ In the infancy of the Persian empire, the sovereigns were almost despised by the people, whom they had civilized, the temperance of those early ages might tend to lengthen their natural lives, and few of them were disturbed by civil wars or rebellions. so that we may safely allow the space of five hundred and sixty years to the two first families of Persian kings, or twenty-eight to a reign; which computation, if we count backwards, from the death of Darius, in the 380th year before Christ, will place the foundation of the Persian monarchy in the 890th year before the same epoch, about 14 years, according to Newton, after the burning of Troy, and just a century before some general or feudatory of Tahmuras founded the dynasty of the Assyrians.” We will content ourselves by remarking the manner in which Sir William reconciles the Persian accounts of the second or Caxanian dynasty of princes with those of the Greeks. Afrasiah king of Turan, who had subdued Media, he supposes to be Astyages: Cai Cobad, who expelled the Scythians, Cyaxares: Cai Caus, from a common title, is called Darius the Mede. Cai Khosru, Cyrus the Great. Between his son Lohorasp and Cambyses no analogy can be traced, but Guderz, a gene-

ral of Lohorasp, who penetrated far into the west, was the Xerxes of the Greeks. Kyftasp is Darius Hyftaspès, in whose reign Zoroaster flourished in Persia, Confucius in China, and Solon in Athens. Ardesfir Derazdest is Artaxerxes Longimanus: in the reign of this prince, "Coresh, descended from Lohorasp, was sent to punish Baltazzar, son of Bakhtnafar, who was grown very insolent in his government of Babylon, Coresh conquered Baltazzar, and was raised by the King to the supreme command of that city, where he protected and encouraged the captive Jews. Whatever our chronologers say, it is not easy to conceive that the Jews were delivered by Cyrus the Great; perhaps, deceived by the name Cyrus, which the Greeks gave both to Khofru and to Coresh, they have fixed the return of the Jews much earlier than the truth."

The sixth volume opens with the "Hitopadefā of Vishnufarman."—Our author remarks, that "the fables of Vishnufarman, whom we ridiculouſly call Pilpay, are the most beautiful, if not the most ancient collection of apologues in the world. They are extant under various names in more than twenty languages; and, as the very existence of Esop, whom the Arabs believe to have been an Abyssinian, appears rather doubtful, I am not disinclined to suppose, that the first moral fables, which appeared in Europe, were of Indian or Ethiopian origin. In Persian the word Bidpai means willow-footed, which is nonsense; and Pilpai, elephant-footed, which is not much better. but Cashefi says, that, in Sanscrit, the word signifies beloved, or favourite physician, and that is certainly the meaning of baidya priya, from which Bidpai is formed; the author having been, it is supposed, of the baidya, or me-

dical tribe, and a favourite of his Rajah." We must here observe, that there is no more reason for supposing Vishnufarman the author of these fables, than for supposing Sheherazad the author of the Arabian Nights, or Mr. Bickerstaff of the Tatler, if such a person as Vishnufarman ever existed, he was a Brahman, and could not be a baidya or physician, that being a very inferior cast. The work, however, is stated in the introduction to be a compilation from the Panch Tantra, and lays no claim to originality, indeed we suspect it to consist of four chapters selected from the last-mentioned performance, and connected by a different hand. The enigma contained in the word Bidpai or Pilpai, has escaped the perspicuity both of Sir William and Mr. Wilkins. we think we have accidentally hit upon it, and doubt not that the latter gentleman will acquiesce in our explanation, as soon as it is suggested. "Upaveda" signifies an inferior or supplementary Veda, and is frequently applied in Sanscrit to moral treatises. The Hitopadefā has been styled, with great propriety, an Upaveda. The Persians, ignorant of its meaning, have mistaken it for the name of the author, and careless copyists have finished it, by transposing the syllables, from Upa-vedā to Ved-upa; whence Bidpai, from an accidental similarity to two Persian words.

This is the second English translation of this pleasing performance: we have collated both with the original; and the result of our observations is, that the present is the most literal and correct, whilst Mr. Wilkins has been more happy in rendering the facetious humour of the original, which is less perceptible in the gravity of our author's style. Indeed, Sir William translated his merely as an exercise,

without intending it for publication, had they been accessible to Phædrus or La Fontaine, these fabulists would have been supplied with an inexhaustible fund of ingenious apologies, for the conveyance of moral truths in their sprightly strains. We insert a specimen.

"A noise only, when the cause of it is unknown, must not be dreaded, yet, by discovering the cause of an alarming noise, a woman of civil fame acquired reputation. How," said the lion, "was that?"

"In the middle of Sripavata mountain," said Damana, "is a town called Bishmapura, and on one side of its summit, (according to the popular story,) lived Guatacarua, (it should be Ghuntacarna,) or Bell-ear, a Rascala (or cruel demon). One day a thief, escaping from a house in which he had stolen a bell, was killed, and eaten by a tiger on the top of this mountain, and the bell, which had dropped from his hand, was taken up by some monkeys, who from time to time made it sound.

"The people of this town having discovered that a man had been killed, and hearing continually the noise of the bell, said, that Guatacarua had in his rage eaten him, and they all fled from the town. It came into the head of a female pander, that the bell was only sounded by monkeys, and she went to the prince, saying, if you will advance me a large sum of money, I will make the demon quiet. The king gave her a treasure; and she, having paid adoration to a certain quarter of the globe, made idols, and formed circles, acquired great reputation for sanctity, she then took such fruits as monkeys love, and, having entered the forest, scattered them about, which the monkeys perceiving, quitted the bell, and eagerly devoured the fruits. The woman took up the bell, and went with it to the palace of the king, where all the people did her reverence. Hence, I say, A noise, &c."

It strikes us that the gravity of the translation agrees but ill with the nature of the stories.

"Sacontala, or the Fatal Ring, an Indian drama, by Calidas; translated from the original Sanscrit and Pracrit."—Calidas was the first in reputation among the poets who flourished at the polished court of Avanti, in the century preceding

the Christian æra, who are celebrated under the name of the nine gems. The foundation of the piece is taken from the Mahabharat, whence the story of Sacontala has been extracted and translated by Mr. Wilkins. The dramatic poet has taken considerable liberties with his original, in the latter, the refusal of Dushmanta to acknowledge his son in presence of the whole court, is occasioned by his anxiety to produce such convincing proofs of his birth as might effectually silence the voice of suspicion, and vindicate the character of Sacontala: in the play his conduct proceeds from real forgetfulness, the effect of the fatal ring. We entirely concur in the opinion of the translator, who considers this drama "as a most pleasing and authentic picture of old Hindû manners, and one of the greatest curiosities that the literature of Asia has yet brought to light."

"Eight hymns to the Hindû Deities." These poems have great merit in introducing to our acquaintance several of the principal deities of the Hindû mythology, in all the pomp of appropriate imagery. They are not translations, although the Hindûs have numberless poetical addresses to their gods. they are not imitations of the ancients, tho' they have left us many beautiful specimens of these compositions, which might be imitated and applied with great advantage to the Indian deities. Many beautiful, and many sublime passages might be pointed out, whilst some are too turgid and inflated, and others too metaphysical for poetry.

"An Extract from the Bhushanda Râmâyan." This has, apparently been translated from the Persic version of the Râmâyan, as the orthography is different from that adopted by our author, after he commenced his Sanscrit studies.

"Extracts

"Extracts from the Vedas."—We insert the celebrated Gayatri, or holiest verse of the Vedas :

"Let us adore the supremacy of that divine fun, the godhead who illuminates all, who recreates all, from whom all proceed, to whom all must return, whom we invoke to direct our understandings aright in our progress towards his holy seat."

The above is the whole of the Gayatri. what the succeeding verses are, or whence extracted, we are not informed, but the third extract, we apprehend, cannot be from the Vedas, from its mentioning various princes who assuredly lived posterior to the composition of that primæval code. The remaining extracts appeared in our last publication.

Prefaces to a printed edition of "The Seasons," a descriptive poem by Calidas, and of "Laili and Majnun," a Persian poem by Hafizi. The former is recommended to the Sanscrit student, as an easy and elegant work, well adapted for beginners.

"An Essay on the Law of Bailments," concludes this volume, and the works of Sir William Jones. It is, we understand, considered as a work of high legal authority on the subject, and is thus mentioned by Mr. Gibbon: "Sir William Jones has given an ingenious and rational essay on the law of bailments. He is perhaps the only lawyer equally conversant with the year-books of Westminster, the commentaries of Ulpian, the Attic pleadings of Isæus, and the sentences of Arabian and Persian Casis." We may add the ordinances of the Sitti Sastra to the above list.

It is to be lamented that these inestimable stores of oriental learning had not been submitted to the perusal of an oriental scholar for the purpose of correcting mistakes in orthography. We insert a few cor-

rigenda, to call the attention of the editors to the subject when a new edition is called for. 5th vol. page 306, "Homai" for Jumna, 430 "Miahk" for Meshk, 429 "Almotapem" for Almotafem, 435 "Mekhar" for Nekhari.—6th vol. 105 "Saganca" for Safanga, 73 "Guatacarna" for Ghuntacarna; 420 "Sufes" for Suras.

Of the wonderful attainments of Sir William Jones, it is difficult to speak in qualified terms, in discharging our duty to the public, we have freely pointed out whatever we considered as mistakes, but candour admits and requires the discharge of a more agreeable duty. His comprehensive mind seems to have embraced the whole circle of science in its ample grasp, and his works prove, that, in most branches of human knowledge, he had reached a high degree of excellence. His Latin odes are classical and elegant; his versions of Hafiz are the only real specimens, in our language, of the rich and copious strains of the Persian bard; the Institutes of Menu, Hitopadesa and Sacontala, throw more light on the manners, and civil and religious institutions of the Hindûs, than can be derived from all other sources collectively, if we except the agreeable translations of Mr. Wilkins, and his anniversary discourses communicate an infinite variety of curious and useful information, in a style at once elegant and impressive. His indefatigable application exhibits an useful example to literary men; but the extent and varieties of his attainments, who can hope to reach? By his premature death, literature has met with one of the severest losses it has sustained in the eighteenth century; for, highly as we value the performances we have just analyzed, we are confident that, if his life had been protracted, his future productions

would have supplied the most important desiderata for the elucidation of ancient history, and thrown an entirely new light on the origin

and progress of civil society. The oriental muses may now exclaim, "*Tecum una tota est nostra sepulta domus*!"

The Geographical System of HERODOTUS examined, and explained by a Comparison with those of other ancient Authors, and with modern Geography. In the course of the Work are introduced Dissertations on the Itinerary State of the Greeks, the Expedition of DARIUS HYSTASPES to Scythia, the Position and Remains of ancient Babylon, the Alluvions of the Nile, and Canals of Suez; the Cafis and Temple of Jupiter Ammon, the ancient Circumnavigation of Africa, and other Subjects of History and Geography. The whole explained by eleven Maps adapted to the different Subjects, and accompanied with a general Index. By JAMES RENNELL, F. R. S. of London and Edinburgh, and late Major of Engineers, and Surveyor-General in Bengal. 4to.—pp. 706.—Price 2l. 2s. in Boards. NICOL.

THE venerable Father of Grecian History takes a rapid but extensive survey of the events which preceded the period of his composition; with devotious course, he ranges through Europe, Asia, and Africa, deducing from their uncertain origin the civil and military progress of the powerful states of antiquity, and sometimes venturing to penetrate the limits which concealed immense terræ incognitæ from the inquisitive spirit of his countrymen. Indefatigable in his inquiries and candid in his statements, he seems to have suppressed no circumstance which came to his knowledge: no particular was too minute, and no incident too ludicrous, to merit a place in his narrative; and if the oldest profane history be not the most instructive, it is probably the most entertaining of any extant. But the utility which the student of history derives from geography, her sister science, is diminished by the gradual changes produced by a series of ages; empires which once

overawed the universe, have disappeared from the earth: languages which prevailed over extensive regions, are no longer spoken, nor understood: splendid cities of antiquity are left without a vestige to ascertain their position, and where the same site is still covered with a numerous population, a new name frequently conceals the pristine appellation. Amongst the modern geographers who have laboured to remedy this inconvenience, few have been more successful than Major Rennell; and an analysis of the important work now before us, will still more amply justify the encomiums due to successful diligence.

During the six hundred years which elapsed between the ages of Herodotus and of Ptolemy, a knowledge of the globe had made little progress towards perfection. Commerce had procured some details of the eastern Continent of Asia, and the expedition of Alexander, and the Roman conquests, had dissipated the

the cloud which hung over the western extremity, but the real form of Africa and the Caspian sea, concealed from the later geographers of antiquity, were known to Herodotus. The boundaries of his extensive researches are thus marked by our author :

“Of Europe and Asia, collectively, the northern boundary was the ocean, whose shore was supposed to continue from the south of the Baltic eastward; and perhaps touching the parallel of 66°. On the north east, the mountains of Altai, at the head of the Irtysh river, and the country of the Ogurs or Yugues, which is far advanced within great Tartary, seem to have terminated his knowledge; and on the east, the great sandy deserts of Tartary, and the country of India, but of this last his ideas appear to be the most indistinct possible, both in respect of its extent and its history. The peninsula of India is darkly pointed out by the tract which extends very far to the south of Persia, and whose inhabitants are black, but it is given under too confined limits.”

“The eastern extremity of Herodotus’s world was a vast desert, unknown and unexplored, and consequently in extent indefinite. The remainder he knew to be surrounded by the ocean, including Africa, which he confined within limits very much narrower than the truth, both in respect to its length and breadth, although much wider than appears in the systems of other geographers.”

Into the calculations, by which our author endeavours to ascertain the distance designed under the denomination of a Stadium, we will not enter; possibly, a different measure of space may have prevailed, under the same denomination, at different periods: but certainly different estimations of distance would more frequently ensue from imperfect information, and erroneous observations. The conclusion deduced from these researches is, that the mean state of antiquity was equivalent to 505½ English feet, giving about 12 stades to a geographic mile.

The continent of Europe was supposed by Herodotus to extend to the easternmost shores of the uni-

verse, and interposed a barren and mountainous region between the fertile plains of Asia, and an ocean of doubtful existence which washed the northern extremity of the earth. A thick cloud hung over the western countries of Europe, the Cassiterides were only known as islands which supplied the Phœnicians with tin, the Celtæ inhabited the countries near the sources of the Danube, the continent of Italy with its adjacent isles and Grecian colonies are briefly mentioned in the course of his narrative: whilst Rome, an inconsiderable state in the centre of Italy, possessed little to attract the attention of strangers, though her neighbours had already experienced the prowess of her arms. The course of the Danube marked the northern limits of Thracæ, whose inhabitants were divided into different tribes: the Getæ pretended to immortality, another tribe sacrificed widows on the funeral pile of their husbands, but a general similarity pervaded the manners of the Thracians.

North of the Danube extended the country of the Scythians, whose wandering tribes had crossed the Tanais, or Don, on the east. It presented a line of coast equal to 480 geographic miles; and the interior was washed by six rivers, exclusive of those which marked its limits. The expedition of Darius Hytaspes leads to an enumeration of the various tribes of Scythians; and of some customs prevalent at that early period, vestiges may still be traced amongst the Nomadic hordes of the Ukraine.

“The Scythians, according to Herodotus, say, that the first patriarch and king of their country was Targataus: that he had three sons, from whom the four tribes of Ancharæ, Caueni, Traspiæ and Paralææ are descended. Now it is well known that amongst the orientals, Turk, the reputed son of Japhet, is reckoned the patriarch of the tribes of Turkestan and Tartary. The Targataus of Herodotus, has in

its root some affinity to the name Turk, as that of the Paracatæ, the tribe descended from the youngest son of Targitaus, to Perlus or Berlus, which denigned the tribe last in rank of those descended from Turk. Targitaus was said to be the son of Jupiter, Turk of Japhet."

In this passage it may be observed, that the Moslem writers are deserving of no credit when they assign the origin of nations to founders of the same name. we have perused an eminent historian, who gravely enumerates Sinda and Hind, Deccan, Mehrat, Teling, and many others as the patriarchs of India, though the Sanscrit signification of these words proves that they never could have been personal appellations. With regard to the similarity between Jupiter and Japhet, both these names were equally unknown to Herodotus and to the Scythians. The settlement of these tribes on the rich pastures of the Ukraine was of no remote date: the tide of emigration had already begun to propel the warlike hordes of the northern parts of Asia, towards the settlements of their western neighbours; and the Cimmerians, who anciently dwelt in the countries between the Don and the Danube, had already disappeared before the invasion of the Scythians, and added to the population of more western regions. On the north, European Scythia was bounded by the Melanchlæni, named from their black garments; by the Androphage, whose name attests the barbarity of their manners, on the north west dwelt the Neuri, who once a year became wolves, and the effeminate tribe of Agathyrsi, who had their women in common, bounded the Scythian on the west. Between the Tanais and Oarus, (the Don and the Wolga,) we find the Sauromatæ, who boasted their descent from the Amazons; the Budini, who wan-

dered through the extensive forests which skirt those rivers; and the Thyssagetæ, whose country terminated the march of Hyksæpes, in a northeily direction. The inhospitable Tauri, who dwelt in the Crimea, were not considered of Scythian origin. The sepulchres of the Scythian kings were situated, says Herodotus, in the remotest part of their country. Many tumuli are still found on the banks of the Tanais, and their barbarous funerals, as our author remarks, were common to other tribes of Tartars, in more recent periods. Whether the Scythian invasion of Medea was the event alluded to by the prophet Ezekiel, where he describes the hosts of cavalry "coming like a storm, and covering the land as a cloud," is a point still undecided. Neither are we convinced that "there still exists in the north-west part of Asia, a rampart or mound with gates and towers, named by the eastern writers from Gog and Magog." The land of Gog and Magog is placed by oriental geographers north-east of China, and we think it rather probable that the wall of China is the one designed by them, though the inaccuracy of their accounts, and particularly those of the envoy of the Calif Wathec, have rendered its situation obscure and perplexing. The subject recurs again in Major Rennell's account of the Hyperboreans, who certainly are meant by Herodotus for the inhabitants of the country of Gog and Magog; but as the existence of any other rampart than the wall of China rests upon very doubtful authority, and as much that is said concerning it will apply to the latter, we still adhere to our former opinion.

Stretching eastward from the Wolga, Europe was in that direction

tion supposed, by Herodotus, co-extensive with Asia. On the eastern banks of that river dwelt the Turcæ, whom our author recognises in the Torgats, a Calmuc tribe, situated between the Wolga and Jaic, in the government of Sarataw. A tribe of Scythians emigrated from the Ukraine, and seemed to have occupied the Desht Kipchac. Farther east, the Argippæi, bald from their birth, having large chins and nostrils like apes, spoke a peculiar language, and dwelt near Mount Arga, and the mountains of the Steppæ. Proceeding in the same direction, we reach the Issedones, who are placed by Ptolemy in a situation corresponding with that of the Oigurs or Yugures, who inhabit the proper seat of the Calmucs, bordering immediately on the north east of Asia, easily recognized in the country of Casgur. These are denominated Eluths by the Chinese, as we suppose from Yelduz, a tract of country which they possess. To this nation the Moguls are said to be indebted for the use of letters: "they possessed," says our author, "a kingdom of considerable extent, formed of the two great provinces of Terfan and Hami (or Camil), which are situated in the very centre of Asia. They are said to have been masters of the country as far northward as the springs of the Irtysh, and the mountains of Altai before-mentioned: and on the south-west, they border on Casgur." The Chinese are said to have conquered this country in 1757, but if Terfan and Camil be meant, these were conquered before 1721, according to M. de Lange; it is possible that Yelduz may have been the scene of Kien Long's victory in 1757. Their letters were probably the same as the Tibetan, which are derived from the Deva-nagari; and that the religion of Buddha pre-

vailed amongst the Eluths is proved by his image worshipped at Terfan, under the appellation of Sacyo Muni. East of the Issedones dwelt Arimaspians, who had only one eye. and beyond them the Gissins guarded the gold, with which the land abounded. To the north of all these dwelt the Hyperboreans, an unknown people, whose sacred offerings were brought to Delos by the hands of virgins.

The continent of Asia, as it was viewed by Herodotus, presented an extent greatly inferior to that of Europe, which bounded it on the north, whilst China, the Chinese and western Tartary, Tibet, and the peninsula beyond the Ganges, lay beyond the limits of his geographical knowledge. The Asia of Herodotus constituted one unwieldy monarchy; it comprised a variety of nations under one jurisdiction, whose manners presented the refinement of civilized nations, and the barbarity of untutored savages; and whose languages were not understood over the whole of the empire. In a luminous disquisition on the various levels of the Asiatic continent, our author assigns his reasons for supposing the highest level to prevail near the eastern extremity. The mountainous ridge which under the name of Taurus approaches the shores of the Mediterranean, extends itself under various appellations to the remotest parts of Asia; its numerous branches extending southward inclose fertile plains, the early seats of population, and supply the rivers which flow through them.

"The ridge of Imaus is properly the crest of the mountains that form the western declivity of a prodigious high level, which may be regarded as the firm body of eastern Asia. It occupies a vast space in the central part of Asia, between Persia, India, China, and Tartary, and from the borders of which, the great rivers of that continent descend in every direction; from,

from the Oxus and Jaxartes on the west, to the Amur on the east, and from the Ganges and Burrampooter on the south, to the Obi and Jewsea on the north. This vast upland tract, (the highest region, perhaps, of the old hemisphere,) contains generally the country of the Calmucs, of the Mongols, Tibet and eastern Turkestan. The countries that surround this tract, taken in a very general view, may be regarded as placed on a kind of hanging levels, or declivities, along the skirts of it, since the waters flow to uninterruptedly from every side, to the surrounding seas or lakes. Those amongst them which flow through the parallels, subject to the periodical rainy season, have, by their alluvions, added vast plains equal themselves to kingdoms, near the sea coast, but the operation of alluvion proceeds but slowly, by such rivers as do not undergo very great alterations in their bulk, at different seasons, and such are those to the north. The greatest alluvions in Asia, therefore, are formed by those streams which descend from the southern part of the elevated region in question, that is, between Persia and China, which are so situated as to receive the supplies of rain brought by the southerly monsoons.

There is also reason to suspect that China is on a higher level than the lands on the west. It is well known from the improvements in modern geography, that the high region of Tibet adjoins to China on the west, and that from it a mountainous ridge, or region, extends south or south-eastwards, separating the peninsula of India, beyond the Ganges, from China. The great waters of China all run to the east, those of the peninsula to the south—a strong indication of different levels, and it cannot well be supposed that China is the lowest of the two, when the astonishing length of course of the Kian-kew is considered, and moreover that China is a colder region than India in corresponding parallels.

Herodotus divided Asia into four regions. The first comprehended the space between the two seas, the gulph of Persia, and the eastern part of the Euxine: it was occupied by four nations; the Persians, who dwelt near the Indian ocean, the Medes, who bounded them on the north; the Saspirians, a warlike tribe, who spread themselves towards the Euxine, and the Colchians, who dwelt south of the Phasis. From

this central region of Asia, two others stretched to the Mediterranean, whose common limits were marked by the elevated ridges of Mount Taurus: of these the most northerly commenced at the Phasis, and extended to the sea along the Euxine to the Hellespont, as far as the Sigeum of Troy, it comprised no less than thirty different nations, and included western Armenia and Asia Minor. The third region was bounded on the north by the one just mentioned, it comprised Assyria Proper, Babylonia, Arabia, Phenicia and Palestine, and was said to contain only three nations. The last region lay to the east of Persia and Media, and was bounded on the north by the Caspian sea, and the Araxes, on the south, by the Erythrean sea, and on the east, by the utmost known part of India: the different nations who compose its inhabitants are not enumerated.

The ridge of Imaus marked the boundaries of western and eastern Scythia, the former included the Desert Kipchac, western Turkestan, and the northern part of Fergana: eastern Scythia was the country of the Massagetæ, and extended to the Issedones, whom our author recognises in the Eigurs or Eluths, it consequently was the eastern Turkestan, comprehending, Casgur, Khoten, Afsu, &c. Saca was a general appellation for a Scythian of whatever tribe, though it was thought to be derived from a particular one. "It is possible," says our author, "that the general denomination of Sacæ, was of the same import, perhaps even a part of the very same name, with the Kosaki of modern times; that is, wanderers, freebooters, or banditti." Were we to hazard a conjecture on the subject, it would be that the Scythians derived this appellation from being of the religion of Buddha, or Saoyo. The

gera in use amongst the votaries of Sacyo at this day is named "Saci," the modern Scythians or Tartars are adherents of his doctrine, or Sacæ, and the hypothesis would account for its being applied to the Scythian generally, which otherwise remains unexplained. The Sacæ are mentioned in the Purāṇas as an uncivilized nation, and that Sacyo, of all the epithets of Buddha, was most universal, appears from his being worshipped under that name from Terfan to Japan.

The numerous provinces which composed the immense empire of Darius, surnamed Hytaspes, is divided into twenty satrapies, the nations included in each, and the specific tribute which each satrapy contributed as its assessment, are detailed by Herodotus. Our author, in a perspicuous commentary, has pointed out the local situations occupied by each, and if the remote date of the original composition be considered, it will excite surprise to find so few nations mentioned, whose habitations cannot be ascertained by positive circumstances, or probable inference. To enumerate the various tribes which composed this immense mass of population, would exceed the limits of our review; much more to state their actual or relative situation, and the ingenious reasonings from which some of them are deduced. Beginning with the maritime provinces of Asia Minor, the enumeration is extended to the tribes who inhabited the northern parts of India, where the five rivers unite their waters with the Indus. We will select from the catalogue whatever may appear best calculated to gratify the curiosity, or contribute to the amusement of our readers. Some interesting remarks occur relative to Phœnicia and Palestine. "Herodotus believed that Scosistris over-ran

Asia, and, passing into Europe, conquered Scythia and Thrace; and that thus far the monuments of his victories may be discovered. Also, that he left a detachment in Colchis, the relation of which circumstance has given reason to suppose, that the Egyptians were black, and had crisped and curling hair like the negroes." The custom of circumcision he refers to Egypt and Ethiopia, where he says it may be traced to the remotest antiquity, observing that both the Phœnicians and Syrians admitted it had been introduced from thence into their country. To this quarter of the world he also refers the important invention of letters, which long continued in Greece to be named Phœnician letters, from the people who first made them known in Europe.

"The extended scale of the Phœnician commerce is a theme of ancient history as well sacred as profane. The amber of Prussia, and the tin of Britain, the linen of Egypt, and the spices of Arabia, the slaves of Caucasus, and the horses of Scythia, appear to have centered in their emporium. There is, however, no intimation of Indian productions, in the catalogue of merchandizes just mentioned. According to our author, India had been recently explored, by the orders of Darius Hytaspes, and seems to have been little known to the Persians before this time. Ezekiel prophesied concerning the destruction of Tyre, only 60 or 70 years before Darius, and, as we have said, no traces of Indian products or manufactures appear in his catalogue. The two accounts therefore agree, and impress an idea that the Phœnicians did not trade to India at that period. Had they known and traded to India through the Persian empire, the Persians doubtless would not have been ignorant of India, which, if we are to credit our author, they were, previous to the expedition set on foot by Darius, and conducted by Scylax, who first explored the Indus, and the coasts between it and Persia."

On this passage two remarks naturally occur. First, that amongst the spices of Arabia brought to Tyre,

Tyre, cinnamon was undoubtedly one. either the Phenicians brought it from Ceylon themselves, or they must have had it from Arabians who sailed thither; in either case that island was known to the subjects of Darius. That the Indian Nard was in the same predicament seems at least a probable surmise. If the Hytaspes of the Greeks was the Kishasp of the Persian writers, an hypothesis justified by chronology, and supported by strong probability, he resided chiefly at Balkh, a city near the eastern extremity of his dominion, where it would be singular indeed if India was unknown, though the navigation of the Indus by Scylax might have been the first attempt of that nature. Zoroaster flourished in his reign; and the eastern tradition reports, that many Brahmans from the remotest parts of India were among the first converts to the new system of faith.

"It is well known that there were two countries of the name of Media, at the time of the Macedonian conquest, and that they were called the greater and the lesser. The greater answers to the modern division of Al Gebal, or Irac Agemi, the lesser to Azerbaijan, which was called by the Greeks *Atrepattia*, perhaps meaning to imitate the former."

"Media Magna, or Media Proper, occupies the midland and elevated tract between the approximating parts of the Caspian sea and the Persian gulph, having the low lands of Susiana on the south, and the hollow semicircular tract which embraces the south part of the Caspian sea (and which contains the provinces that may with propriety be termed Caspian) on the opposite side. It formed also the central part of the great Persian empire of that day, and was from climate, verdure, and richness of soil, the most beautiful of its provinces. In the description of modern travellers and geographers, Media is more commonly reckoned the western part of Persia, it being in reality its most western province, Maum Zagros forming the common boundary between Persia and Turkey. Ispahan, the present capital, is situated in the south-east corner of the division of ancient Media.

"Media boasted of the splendid city of Ecbatana, the summer capital of the Persian monarchs. This city was unquestionably on or near the site of Hamadan in Al Gebal. A great number of authorities concur in proving this, although many refer it to Tauris, or Tabriz, in Azerbaijan, Mr Gibbon and Sir W. Jones among the rest. Media also boasted of Rages, perhaps of equal antiquity; afterwards revived under the modern name of Rey, by the Mahomedans, and which was one of the largest and finest cities of the east, but is now a mass of ruins. The ruins of the two cities of the name of Rey are noticed by travellers in the plain, at about fifty miles to the west of the Caspian strait, which was the position of Rages."

We will now, at the hazard of exceeding the limits we had prescribed to ourselves, extract the passage of Herodotus which relates to India, with such of our author's observations as are necessary, intermixed with such remarks as suggest themselves from a perusal of both, and reference to eastern compositions:

"The Indians, the most numerous nation of whom we have any knowledge, were proportionally taxed, they formed the twentieth satrapy, and furnished 600 talents in golden ingots." *Herodotus. Thalia.*

Major Rennell observes, that it is not known how much of India Darius possessed, but the tribute of it, if rightly stated, was immense. —By Herodotus's description it might be concluded that the King possessed little beyond the Indus, save the Panjab, Sindh, and the country along the Indus generally; in addition to all the Indian provinces situated on the Persian side, and which were indeed very extensive; that is to say, Cabul, Candahar, and that wide stripe of country along the Indus to the sea. — But all these collectively could never produce so vast a sum as 600 talents in gold, each of which were reckoned equal to thirteen in silver. In fact, our author detects a mistake

take into which Herodotus had fallen, in consequence of which he thinks himself authorised to deduct four-tenths of the whole. "But it is yet," adds he, "too large out of all proportion, it being four and a half times as much as Babylonia and Assyria, which formed one of the richest of the satrapies. That the tribute was paid in gold appears very probable, for we learn from the Ayin Akbeiy, that the rivers which descend from the northern mountains in the west of India, yielded much gold."

"The Ethiopians who border upon Egypt, with their neighbours, resemble in their customs the Calanian Indians. they have the same rites of sepulture, and their dwellings are subterraneous" *Herodotus*

Who are the Indians named by Herodotus Callantiæ, or Callatia, and whose manners resemble the Ethiopian Troglodytes? The remark furnishes some confirmation of the system so ingeniously imagined by Captain Wilford, who for Callatiæ would doubtless propose the emendation either of Kiratiæ or Palitiæ, who, if his conjecture be well founded, emigrated from India to Ethiopia.

"The Indians procure the great number of golden ingots which, as I have observed, they present as a donative to the King, in this manner. That part of India which lies towards the east is very sandy, and indeed, of all nations concerning whom we have any authentic accounts, the Indians are the people of Asia who are nearest the east, and the place of the rising sun. The part most eastward is a perfect desert, from the sand. Under the name of Indians, many nations are comprehended, using different languages, of these some attend principally to the care of cattle, others not; some inhabit the marshes, and live on raw fish, which they catch in boats made of reeds, divided at the joint, and every joint makes one canoe. These Indians have a dress made of rushes, which, having mowed and cut, they weave together like a mat, and wear in the manner of a cuirass." *Herodotus*.

Major Rennell remarks, that the sandy desert above mentioned was that of Jesselmer, called also Rheghistan, (or the country of sand,) which proves that the empire of Darius and the knowledge of Herodotus were confined to the country contiguous to the Indus and its branches.

"To the east of these are other Indians, called Padæi, who lead a pastoral life, live on raw flesh, and are said to observe these customs if any man among them be diseased, his nearest connexions put him to death, alleging in excuse that sickness and wasting would injure his flesh. They pay no regard to his assertions that he is not really ill, but without the smallest compunction deprive him of life. If a woman be ill, her female connexions treat her in the same manner. The more aged among them are regularly killed and eaten, but to old age there are few who arrive, for in case of sickness they put every one to death." *Herodotus*.

Major Rennell justly observes how dissimilar the manners of the Indians of Herodotus are to those described by the historians of Alexander, which prevail with little alteration at this day. He conjectures that the Padæi, being one of the most eastern tribes, may have been named from Padda, a name of the Ganges, "so that the Padæi may answer to the Gangaridæ of later Greek writers." We would search for the savage Padæi in a different direction, for south of Potyid, or Tibet, are still formed traces of wild people, with more or less of that pristine ferocity, which, as Sir W. Jones observes, first induced their ancestors to secede from the civilized inhabitants of the plains and valleys. Captain Turner relates, that raw flesh is still eaten in those countries, and their savage habits would probably reach Herodotus in an exaggerated form. It is, however, certain that the Puranas enumerate several tribes of cannibals who dwelt in the contiguous

guous countries under the names of Rakhas, Crabyada, &c.

"There are other Indians who, differing in manners from the above, put no animal to death, sow no grain, have no fixed habitation, and live solely upon vegetables. They have a particular gram, nearly of the size of a miller, which the soil spontaneously produces, which is protected by a calyx; the whole of this they bake and eat. If any of these be taken sick, they retire to some solitude, and there remain, no one expressing the least concern about them during their illness, or after their death." *Herodotus*

Major Rennell observes, that "here truth and misrepresentation are blended together. It is true that they abstain from animal food, that they live on rice and vegetables; and that they expose their sick to, oftentimes, untimely death. but it is not true that they have no fixed habitation, for no people in the world live so much in one place; nor that they live on grain produced spontaneously, for none are greater cultivators." We must here remark, that the description of Herodotus applies in every particular to the Saniasi, or wandering devotees; and we have no doubt that it was for them originally intended.

"Among all the Indians whom I have specified, the communication between the sexes is like that of the beasts, open and unrestrained," &c. *Herodotus*.

The Puranas mention a nation who inhabit a neighbouring country, in which this custom prevailed, this state of society is termed Poshdharma, or the law of brutes.

"There are still other Indians towards the north, who dwell near the city of Calpatyrum and the country of Pacytica. Of all the Indians these in their manners most resemble the Bactrians, they are distinguished above the rest by their bravery, and are those who are employed in searching for the gold. In the vicinity of this district there are vast deserts of sand, in which a species of ants is produced, not so large as a dog, but big-

ger than a fox. Like the ants common in Greece, which in form also they nearly resemble, they make themselves habitations in the ground, by digging under the sand. The sand thus thrown up is mixed with gold dust, to collect which the Indians are dispatched into the deserts. To this expedition they proceed, each with three camels fastened together, a female being secured between two males, and upon her the Indian is mounted, taking particular care to have one which recently has foaled. The females of this description are in all respects as swift as horses, and capable of bearing much greater burdens.

"Having thus connected their camels, the Indians proceed in search of the gold, choosing the hottest time of the day as most proper for their purpose, for then it is that the ants conceal themselves under the ground. In distinction from all other nations, the heat with these people is greatest, not at mid-day, but in the morning. They have a vertical sun till about the time when, with us, people withdraw from the forum, during which period the warmth is more excessive than the mid-day sun in Greece, so that the inhabitants are then said to go into the water for refreshment. Their mid-day is nearly of the same temperature as in other places, after which the warmth of the air becomes like the morning elsewhere, it then progressively grows milder, till at the setting sun it becomes very cool." *Herodotus*.

The time of full forum is fixed by the best authorities at nine in the morning, and probably people withdrew from it about ten. Major Rennell asks, "if this very extraordinary misapprehension be not occasioned by the neglect of reducing the time to the meridian of the place? For," says he, "by the difference of longitude between Greece and Hither India, it would certainly happen, that when it was nine o'clock in Greece, it would be about noon on the banks of the Indus." Mr. Beloe considers the remark as a strong proof of the ignorance of Herodotus on subjects of this kind. We are disposed to think, on the other hand, that the observation applies to such parts of

India

India as lie under the alternate operation of the sea and land breezes, where the morning is, in fact, usually hotter than at noon. From this truth the absurd inference was probably drawn, that the sun in those countries was vertical in the morning.

"As soon as they arrive at the spot, the Indians precipitately fill their bags with sand, and return as expeditiously as possible. The Persians say that these ants know and pursue the Indians by their smell, with inconceivable swiftness. They affirm, that if the Indians did not make considerable progress whilst the ants were collecting themselves together, it would be impossible for any of them to escape. For this reason at different intervals, they separate one of the male camels from the female, which is always swifter than the males, and are at this time additionally incited by the remembrance of their young whom they had lost. Thus, according to the Persians, the Indians obtain their greatest quantity of gold, what they procure by digging is of much inferior importance." *Herodotus.*

The fabulous narrative above detailed, becomes interesting from its being connected with some curious literary facts. Pliny gives the same account of the Indian termites, whose nests are so disproportioned to the size of the insect, which Herodotus does, adding, that "in the temple of Hercules, at Erythræ, the horns of an Indian ant were to be seen, an astonishing object." Demetrius Triclinius mentions that there are in India winged animals, named ants, which dig up gold. But what is most extraordinary is, that the respectable historian De Thou, tells us, that Shah 'Namas, Sophi of Persia, sent, in the year 1559, to Soliman, an ant like these here described. The most singular circumstance remains to be mentioned: Herodotus states that his information respecting the manner in which gold was procured in India, was derived through the medium of the Persians: now, whoever will take

the trouble to consult Khondemir's geographic treatise, article "Hindustân," will find the story related with all the above particulars; which proves that this tradition was current in Persia from the time of Herodotus to the beginning of the 16th century.

"Thus it appears that the extreme parts of the habitable world are distinguished by the possession of many beautiful things, as Greece is for its mild and temperate seasons. India, as I have already remarked, is the last inhabited country towards the east, where every species of birds and of quadrupeds, horses excepted, are much larger than in any other part of the world. Their horses are not so large as the Nisean horses of Media. They have also a great abundance of gold, which they procure partly by digging, partly from the rivers, but principally by the method above described. They possess likewise a kind of plant, which, instead of fruit, produces wool of a finer and better quality than that of sheep of this the natives make their clothes." *Herodotus.*

Thus we find that the Indians were clothed in muslin dresses manufactured of cotton, in the time of Herodotus. Capasus, one of the names by which the cotton plant was known to the ancients, is a corruption of the Sanscrit word capas. It may easily be inferred from the extreme population ascribed to India by the fathers of history, that the majority of its inhabitants were not disgraced by the savage manners which he imputes to them, though they may possibly have been applicable to some of the tribes inhabiting that vast extent of country. But it is time we should now return to Major Rennell, whom we would not have quitted so long, had the subject been less connected with the more immediate object of our publication.

The 14th section embraces an interesting discussion concerning the site and remains of ancient Babylon. The space within the walls cannot be reduced under 72 square miles.

miles; but our author, arguing from the vast extent of country necessary to supply with provisions a population sufficient to cover that area, concludes, that "the founder of Babylon extended, either through of tentation or ignorance, the walls of his city, so as to include an area that could never be filled with habitations." In proof of this conjecture, Major Rennell states that "the present city of Bassora, according to the description of M. Niebuhr and others, is much to the point of our argument, and is also situated in the very same region with ancient Babylon. The circuit of its walls, according to M. Niebuhr, is about 7 British miles, (Mr. Irwin says 12,) and may contain about 3 square miles, and yet M. Niebuhr reckoned, in 1766, only 40 to 50,000 inhabitants. The ground within the walls has both date-groves and corn-fields in it: and M. Niebuhr very aptly compares it with ancient Babylon in this respect. By the plan, it seems as if less than one third was occupied by habitations, in the usual style of building in Asia."

The site of Babel is determined by tradition, by notices in ancient authors, and by the description of its remains by modern travellers. The first assigns it a position in the vicinity of the town of Hella, on the Tigris, by the second its distance is nearer ascertained from the

fountains of Bitumen at Is (Hit), as also its situation with respect to Seleucia, which the Theodosian tables state at 44 Roman miles. Now the site of Seleucia is determined by the remains of the stately palace of Nushirvan, named Tac Kefri, which stood in the city of Ctesiphon, on the opposite bank of the Tigris. On the authority of Abulfeda, our author asserts that Ctesiphon was the Parthian or Persian name of that city. The Persian historians are ignorant of this name, and mention Medain as the name it received at its foundation, from extending on both banks of the river. Of the remains of antiquity still scattered over the plains adjacent to Hella, Major Rennell has collected an interesting account from various modern authorities, and the whole section will be found replete with curious and instructive information.

The last ten sections of this important publication refer to the continent of Africa, and, in consequence of the recent discoveries in that quarter, are more distinguished by novelty than the beginning of the work. Perhaps no book extant conveys more authentic information respecting ancient geography, yet, owing (as we think) to an inherent defect in the original plan, it has dilated into a bulk by no means requisite for the elucidation of the subject.

Sketches on the Asiatic Establishments of Great Britain, with a View to an Inquiry into the true Interests of the East India Company, comprehending the Rise and Progress of our Settlements in India, the Claim of individual Traders to a Participation of our Eastern Commerce, with an Elucidation of the Means by which those Claims may be made compatible with National Prosperity and the Welfare of the Company; with a Chart, &c. &c. By WILLIAM PLAYFAIR, Author of the Political and Commercial Atlas, &c. &c. 4to. 102 pp. CARPENTER and Co. 1799.

MR. PLAYFAIR is a gentleman already known to the public by his commercial tables, by his development of the causes which led to the revolution in France, and by the work alluded to in the above title-page. In the publication now before us, many important innovations are recommended and announced, in the state of intercourse which has hitherto subsisted between Great Britain and her Indian possessions. As we have the misfortune to view the subject in a light very materially different from that in which it has been considered by the ingenious writer, perhaps the most candid mode of criticism will be, to exhibit an analysis of his publication, which may include the facts and inferences which constitute the basis of the new system; and to conclude each portion with a brief exposition of the arguments which prevent us from admitting the accuracy of his deductions.

In a dedication to the Lords and Commons of Great Britain, our author represents himself as altogether disinterested in the discussion he has undertaken. "If my information or knowledge," says he, "is not equal to that of some writers on the same subject, at least none ever wrote on it that had less interest to mislead others or be himself misled." In his preface we find the object of his work

thus stated: "It is necessary in this place to observe, that several great questions must soon be agitated.—Of these the free trade is one, the annual sum to be paid to Government is another, besides those which a general peace must necessarily occasion. It is our wish to anticipate these great questions, and to point out the best means of discussing and resolving them. Another object is to unite the prosperity of this country with the views and interests of commercial men," (are they at variance?) "to promote the public revenue; to extend navigation, by drawing to British ports, in British bottoms, the surplus trade of India; and to prevent, as much as possible, with due regard to sound policy and justice, the interference of foreign nations in our eastern commerce. For while there remains British capital to be employed, it ought to be employed at home, and in that commerce which is most likely to enrich the state as well as the individual. It is also to be observed, that instead of so great a proportion of this valuable branch of trade being, from exclusive restrictions, diverted into other channels, it is for the interest of the East India Company, as it is beside the wish of Government, that the whole of the produce and manufactures of our Asiatic dependencies should, as the

grand emporium, centre in Great Britain. Impressed with these sentiments, the writer does not hesitate to submit his work to the Proprietors of India Stock, to commercial men of every description, and to all those who are in any shape concerned in East India affairs, or who may wish to attain a knowledge of them."

Introduction.—"In times of remote antiquity, the Indian commerce proved a copious source of wealth to the intermediate nations, by whom it was cultivated, nor were the advantages resulting from it of a casual nature, but permanent as the commerce itself; being founded on the universal demand which, in all ages, has obtained for the productions of that country. Enervation and envy, the usual concomitants of affluence, were generally the causes which produced the decline of those commercial states, and England, now at the acme of commercial prosperity, has reason to apprehend a similar reverse. At such a crisis, the chairman of the East-India Company, by his denunciation of illicit trade, discovered his intention of destroying all competition by foreign nations, private merchants saw the possibility of their reputation suffering from the same cause, and the impression thus imprudently made, *must be removed by the actions and conduct of the Company.*"

We flatter ourselves that Mr. Playfair will admit, that in the course of our analysis, we have exhibited an impartial and candid statement of his principal arguments. How far they are strictly logical, and how far they are at all applicable, it is the province of our readers to determine; with them also it will remain to consider, whether it were necessary to intro-

duce Babylon and Tyre, Alexandria and Palmyra, in order to demonstrate that Mr. *Borlanquet* has acted injudiciously in that part of his conduct which has excited our author's disapprobation.

Chap. 1. "The charter of the East-India Company contains many exclusive clauses, but is not in itself exclusive. Those clauses originated in financial views, and were calculated for the prevention of smuggling, but the magnitude of their capital, could it be sufficiently extended, *would give it in fact very nearly a complete monopoly.* Every monopoly implies conditions both with regard to the public and the government; the former is entitled to expect a full supply of Indian commodities at a reasonable price; and in this expectation they are not disappointed. The Government is entitled to expect that the Company will contribute towards the expences of the State, but the annual sum of 500,000*l.* which is now fixed by written compact, having been settled without due investigation of the Company's ability, is suffered to run into arrears: thus they contribute nothing, the arrears have accumulated to a sum which it were ruinous to exact, and the claims of the government remain undischarged."

The observations of our author on the above topics are equally pertinent and important, they deserve very serious consideration, both from the members of the legislature, and the proprietors of India stock.

Chap. 2. Treats of the rise and progress of the East-India Company as a commercial body. The concluding reflection alone is recommended by novelty. "Commerce is founded on industry, and ought to be free from the ambition of conquest. While the East-India Company continued in the line of mer-

chants, when possessed of factories and other commercial establishments only, their success was clear and certain. The proprietors divided 8 per cent. of actual profit on their capital stock. But we shall find from the time the East-India Company rendered their affairs complicated, by interfering in the politics of the country, and the natural consequences of conquest, the acquisition of territorial revenue, the concern, taken *in toto*, has afforded less advantage, for, though dividends have not decreased, the debts have augmented at a very amazing rate; and certainly warrant us in the conclusion, that if the basis be solid, at least the mode of conducting the business requires alteration and amendment, taking our view from the moment the Company obtained territory."

The inference we are disposed to draw from the above statement, which is incontrovertibly just, is very different from that which Mr. Playfair probably designed to inculcate. It may be stated as follows: The East-India Company, as a chartered body, derive little advantage from an immense acquisition of territory. But are not these territorial possessions of the last importance to government, both in a financial and a political point of view, by contributing to the necessities of the state, directly through the medium of taxation on imports, and indirectly by enriching the individuals who compose the community; whilst their possession excludes foreign nations from an advantage, the enjoyment of which would soon erect a formidable rivalry to our maritime power? If this question be resolved in the affirmative, it remains to consider whether these possessions are likely to be best governed through the medium of the

Company; if this also be conceded, it will require little argument to evince the necessity of supporting that body in the enjoyment of such privileges as are essentially requisite for that purpose. The diminution of profit might be an argument with the Company for relinquishing their territorial possessions; but can with no propriety be adduced to justify an infringement of their privileges.

Chap. 3. Relates "the rise and progress of the East-India Company as delegated sovereigns of the territorial possessions in India." From this slight sketch of a subject so often detailed, we shall content ourselves with stating the result, viz. "That from 1757 to 1765 a territorial revenue, customs included, amounting to 146,884*l.* per annum, was in little more than seven years increased by the means of conquest and alliance to 1,600,000*l.*; from which period to the present time it has been greatly augmented, and now actually produces nearly eight millions sterling of absolute revenue."

Chap. 4. Institutes "an examination of the Company's charter, and the rights it grants and guarantees." The following summary will convey an idea of its contents. We find the connection between the Board of Directors and the Board of Control admirably contrived, we find that what concerns the laws, government, &c. of our territorial domains, approaches pretty near perfection, and that means of punishing those in high situations who venture to abuse the power with which they are entrusted, is the principal defect. In viewing the laws and regulations which regard the general monopoly and private trade, we find the latter under many unnecessary and improper trammels, and that foreigners have a preference that will in the end prove very destructive to the country.

country. We likewise are of opinion, that the sinking fund for paying off the debt, is not founded upon a solid basis, and is not in proper hands; and lastly, that the annual surplus of 500,000*l.* to be paid to government for the charter, has not been fixed with a proper regard to the circumstances of the case." It were superfluous to observe that the judicial and political topics above introduced, occupy but little of our author's attention when compared with the commercial. "The whole aim of our establishment in India," says he, "is certainly for the benefit of this country. It would be a vain, a false, a flimsy assertion, to say, that in that government the happiness of the inhabitants is the primary and principal object." We shall not incur the censure of affected philanthropy for declaring an opinion, that, in every measure of public importance in which the interests of India are involved, the happiness of the native inhabitants should constitute a primary consideration, from motives of policy as well as of humanity; and that the interests of commerce should not be put in competition with the comforts of 80 millions of obedient subjects, but that it should be a *sine qua non* in every discussion wherein they are concerned. Some inconsistency is perceptible with regard to foreigners; in one passage Mr. Playfair exaggerates the dangers accruing from the envy of the European states, in another his object seems to be to exclude them from all participation in the Indian commerce.

Chap. 5. We have now arrived at the Chapter which contains all the argument adduced in support of the projected innovations, and will insert the passages as they occur in the words of the author. It treats of "the finances and gains of the

East-India Company, its state as a commercial body, and assigns reasons why it neither can nor ought to embrace the whole of the trade." The affairs of the East-India Company have generally, says Mr. Playfair, been viewed too much in detail. Such an observation *in limine* is not calculated to impress the idea of accurate reasoning.

"The Company divides 10½ per cent. on its real capital, amounting to 6,000,000 of India stock, or to 12,000,000 of money, which is 660,000*l.* a year of total dividend. Of that capital 4,200,000*l.* is lent to Government at 3 per cent. producing an annual sum of 126,000*l.* and leaving a dividend arising from the commerce and territory to the annual amount of 534,000*l.*

"The sum of 84,000*l.* which the nation gains by the loan, borrowing it at 3 per cent. instead of 5 per cent. is at present the only advantage it receives from the Asiatic trade, and as to the stockholders they divide only 60,000*l.* more than simple interest for their money! Such are the mighty profits arising from the almost exclusive commerce of the East, and the possession of a territory upwards of 1200 miles in length, and 450 in breadth, peopled with above 26,000,000 of inhabitants, and one of the most fruitful portions of the globe. The duty on goods imported cannot be considered as any thing, because, let the trade be free or not, it will equally produce. There are about 1200 speakers and voters at the India-House; supposing two-thirds of the stock to be in their hands, it would make about 50*l.* a year profit to each above the common rate of interest." In a subsequent passage we find the following statement, which explains still more perspicuously our author's idea.

"Total

"Total dividends - - - £.660,000
Of this comes from Govern-
ment for the interest of money
lent at 3 per cent. - - - 126,000

"Remains dividend arising from
commerce and territory - - 534,000

"Deduct interest on capital at 5
per cent on 7,800,000l. For
taking the whole stock at
12,000,000l in money, and
deducting the money lent to
Government, there remains
7,800,000l on which divi-
dends are made, therefore the
fair interest is to be deducted,
and what remains is profit - 390,000

"Total gain arising from the
trade is - - - 144,000

"This 144,000l is divided be-
tween the nation and the stock-
holders. As the 4,200,000l.
lent to Government is under
the common rate of interest
2 per cent we must consider
that as annually paid to it - 84,000

"Gain clear to stockholders - 60,000

"Thus," says Mr. Playfair, "a trade almost exclusive, that has successively enriched every nation that ever possessed it, the progress of which we have briefly stated, and in aid of which there is a territorial revenue greater than that of the Emperor of all the Russias, still does not equal the profits of a single merchant, when all accounts are balanced, and the result fairly brought to account." The causes assigned by Mr. Playfair, for this singular phenomenon, are the Company's debts, their inadequate capital, their expensive establishments, and their neglect of commerce.

Such are the facts adduced to evince the necessity of important changes in the system of Indian commerce, which has hitherto subsisted. Mr. Playfair manifestly considers the Company merely as a trading body, and, to judge of their utility, only desires to inspect their balance sheet. 'The political purposes for which, under the controul

of His Majesty's Ministers, they have proved themselves so well adapted by the nature and constitution of their establishments, by the prescription of long custom, and by the public opinion in Asia, have been overlooked in the discussion. We shall also overlook them, and, considering the Company as a body of merchants, address them in the language suggested by the arguments of our author "*Your success has by no means been proportioned to your expectations; your profits are surely much less than they should be, we suspect you are but indifferent merchants, and will therefore raise up an host of competitors to contend with you in the market, and that trade by which you gained so little when a monopoly, shall now be clogged by restrictions, and reduced by competition. We admit the public have no right to complain, as you supply them with your commodities at a rate much below what they could hope for; but we cannot endure to see your expectations of vast dividends so frequently frustrated, and will therefore annihilate them entirely.*"

With regard to the nation, Mr. Playfair appears to have fallen into still more important misconceptions, when he states that the sum of 84,000l. which the nation gains by the loan, borrowing it at 3l. per cent. instead of 5l. per cent. is at present the only advantage which it receives from the Asiatic trade." He proceeds indeed upon the assumption, that "the duty on goods imported cannot be considered as any thing, because, let the trade be free or otherwise, it will equally produce." But Mr. Playfair must certainly have forgotten that the Company's investments, amounting to a million annually, are procured from the surplus revenue of the territorial possessions, or from money raised

on the credit of that surplus revenue. The funds, therefore, from which private merchants could import goods to an equal extent, must be remarkably deficient, and cause a proportionate deficiency in the revenue from customs. The means devised by the ingenious speculatist to obviate this inconvenience, will be considered in their proper place. Here we think ourselves warranted in stating the following advantages as accruing to the nation from its political and commercial connexions with India, on the present footing.

- 1st. The duties on excise and India goods, purchased with the surplus revenue.
- 2d. The half million stipulated for by Government, which, though suffered to fall in arrears, is not relinquished.
- 3d. Employment of British capital to the amount (as stated by our author) of 7,800,000*l*.
- 4th. The transfer of capital to Great Britain by the fortunes remitted by individuals, the income arising from which is spent in this country, in the encouragement of manufactures, the consumption of commodities taxed to the consumer, and since the income tax, as a direct object of finance.
- 5th. And possibly the most important is the prodigious extension of maritime power occasioned by the India trade operating as a positive accession of strength to this kingdom, and a diminution of that which would otherwise be participated among foreign nations, or eventually monopolized by some preponderating power.
- 6th. The public being supplied with Indian commodities cheaper than they would be supplied by private merchants, as is admitted by our author.
- 7th. An annual export of British manufactures, to a larger amount than can advantageously be disposed of, consequently larger than would be exported by private traders. Many other collateral advantages might

be enumerated, but our object is already more than attained. We proceed with our analysis.

Chap. 6. We candidly confess our incapacity to reconcile the observations which occur in this chapter with those of the preceding, but hope our readers may prove more acute. "The territorial revenues of India, so far as they can be applied, ought to be employed in doing the greatest possible good to this country, in exporting, on the one hand, such articles as the private trader dare not attempt to do, from the low prices such articles bring in India, and on the other, to import such articles of Indian produce as bears the smallest profit in the European market. We mean here," says Mr. Flayfair, "to be understood, that as the Company enjoy so considerable a bonus from the liberality and good-will of the nation, they are bound to employ a part of it in such a way as to remunerate the public for the sacrifice which they make." *The last chapter* was occupied in proving that each proprietor divides only 50*l*. per annum above the common interest of money, *here* we find it assumed that the advantages are so great, that in return the Company should engage in speculations without prospect of advantage: *there*, the profits were considered as illusory, *here*, they are represented as immense.

Chap. 7. This chapter will by some be considered as the nucleus around which the others have accreted, with little expence of time or labour to the writer, it treats of a trade which some have considered illicit, it abounds in acrimonious strictures on the conduct of Mr. Bofanquet, it exaggerates the alarm which this conduct has excited in the commercial world, and in confident language insists on the necessity
the

the Company has thereby incurred of making ample atonement for the offence. When the exacerbation always resulting from personal attack has subsided, the following statement of the transaction alluded to will be admitted just, probably by all parties. A vigilant and conscientious chairman of the East-India Company, saw reasons to suspect practices of a very improper nature in a gentleman of the first consideration and respectability. Regardless of personal inconvenience and obloquy, he instituted an inquiry into the circumstances, the result has been the entire exculpation of the individual implicated, and a very worthy and amiable man has now the satisfaction of knowing, that suspicions excited by a combination of unfortunate circumstances, have been removed in the manner best calculated effectually to vindicate his character.

Chap. 8. Is important, and comprehends what Mr. Playfair terms "a plan for reconciling the interest of the East-India Company with those of free traders, and for ameliorating the situation of both." It is introduced by commercial aphorisms, some of which are unfortunately inapplicable to India. "Our first attention should no doubt be directed to the manufacture of the staples of our own country. But, after this branch of business is carried to the greatest perfection of which it is capable, let all possible encouragement be given to the produce of our own colonies or other dependencies." This produce, Mr. Playfair thinks, should be imported in the raw material, in order to increase the manufactures of this country. "The legislature might also stipulate, that any vessel belonging to private merchants, clearing from the custom-house with a view to perform an India voyage, should be *obliged* to

export a certain quantity of British manufactures in proportion to the tonnage of the vessel to be employed. Let it be free to the merchants, and to every trading body in Great Britain, to export, on payment of the established duties, whatever manufactures they shall think proper, or whatever may be the produce of these kingdoms, as returning cargoes allow the importation of every article or commodity that may be deemed marketable: excepting such as may be judged necessary for the exclusive trade to be preserved to the East-India Company, or such in general as may be prohibited by the laws of England."

The articles to which our author is disposed to restrict the Company's exclusive trade, are teas, raw silk, nankins, opium, Mocha coffee, pepper, cardamums, and sandalwood. "And as a very particular encouragement, the Company should continue to enjoy the profitable privilege of being the medium for remitting the annual surplus revenue of India." Mr. Playfair afterwards asserts, that "the commerce between Great Britain and Asia may be augmented *ad infinitum*, but it has hitherto been confined by impolitic regulations, and particularly impolitic prohibitions. It is entirely the fault of the legislature, and not any want of enterprize in the people, that our trade to the East has not by this time been more than doubled; *for it is certain*, that the inhabitants of that part of the world would be inclined to deal largely in the produce and manufactures of Great Britain; and where cash is wanting, they have abundance of valuable staples to barter for our commodities. If the mercantile genius of the nation had full scope, what commerce might not be carried on in the export of slight woollens, hardware, guns, especially those of a

small calibre, muskets, military stores, and ammunition, anchors of different sizes, &c. &c. and the imports of raw silk, indigo, Bengal sugar, salt-petre, &c. &c. The exclusive charter which prevents British adventurers from trading in those and other articles to the eastward of the Cape of Good Hope, is of infinite hurt to the British manufacturers, as well as traders." After having attempted to prove that "a very large portion of capital will leave this kingdom, and be employed on the Continent, unless British subjects, British ships, and British capital, are put at least on an equal footing with those of neutral nations in trading to India." Mr. Playfair suggests regulations for that purpose. He accordingly proposes that individual houses (does Mr. Playfair mean particular houses licensed for the purpose?) in our distant settlements should be allowed to send home their own cargoes in their own ships, whether British or India built, and to return either with a cargo or on freight.

The last chapter presents some desultory reflections on the shipping interest, the Cape of Good Hope, and on the comparative importance of the India trade and India territory. In this, or in the appendix, we have not discovered any thing which claims our remark, but will conclude our strictures with a few general observations applicable to such parts of our author's plan as have not been already noticed.

Trade is usually founded on a reciprocity of wants, but to this rule the Indian commerce constitutes a remarkable exception. The inhabitants of those favoured climates have few wants, and those are amply gratified by their native productions. barter, therefore, the usual mode of intercourse amongst distant nations, cannot be resorted

to in a considerable degree; the wants are all on one side, the commodities on the other. But conquest obtained for the English nation, in those remote regions, a fertile territory, abounding in ingenious artificers, and yielding a large revenue. What was gained by valour has hitherto been secured by moderation and justice. After defraying the charges incident to extensive establishments, a portion of that revenue still remained; it was invested in the manufactures of the country, and transported to Great Britain; another portion is sent to China, for the more profitable productions of that empire, and a part is conveyed to other settlements, to answer the deficiencies of their revenue. Thus Bengal is subject to a double drain, for, first, its manufactures are exported without any return either in goods or specie. and, secondly, an actual exportation of specie constantly subsists. But, in addition to this, the private fortunes acquired by the Company's servants (in a manner, with few exceptions, highly honourable to themselves) constitute a fund perpetually renovating and requiring a channel of remittance. On this fund the trade of foreigners has hitherto been carried on: it is in its nature limited, and incapable of being extended beyond certain, and that not very wide, boundaries. It constitutes a third drain from the province of Bengal; but it is, like the former, irreparable. The restrictions on the private trade of British subjects to India has thrown this chiefly into the hands of foreigners, to some it appears sufficiently important to justify the interference of the Legislature to secure it to British subjects. Persons less acquainted with the situation of the Eastern world, combine this with other advantages,

tages, and, mistaking the luxuries and the wants of oriental nations, think our manufactures might, if properly managed, command an extensive sale. Others who have resided in Bengal, and remarked its fertile soil, and the industrious ingenuity of its peaceful inhabitants, conceive that the Company export too little from thence, and that private merchants should be suffered to perform what they are unable to effect, forgetting that beyond the limited fund we have alluded to, the capital for that purpose must chiefly be carried thither in specie; and that in any other mode they must add to the impoverishment of

that province, in the exact ratio of their exports. Some, indifferent to the comforts of the native inhabitants, recommend exporting the raw productions of that country to enrich the manufactures of this: The spirit of innovation so much declaimed against, but still so active, has gone forth; and the interest of the Indian provinces, with the privileges of the East India Company, are the only circumstances undeserving of attention in the eyes of mercantile speculators. The wisdom of Government, we trust, will not be dazzled by illusive projects, nor exaggerated statements.

A Voyage to the East Indies. By FRA PAOLINO DA SAN BARTOLOMES.

Continued.

IN our former publication we gave a succinct account of the contents of the first book of Fra Paolino's work, and some particulars of the life of the author, intimating, at the same time, our intention to prosecute our analysis of the second book in our present volume. To this part of our task we now proceed.

Chap. 1. Birth and Education of Children.—"The Indians of Malabar say, that women conceive in silence, but bring forth amidst noise." Among them, the state of pregnancy is considered as highly honourable; and indeed it may be remarked, that the Hindû institutions generally have a strong tendency to promote population. In the seventh month of gestation a ceremony is performed, which our author conceives analogous to those represented on some of the Grecian vases, "and I am fully convinced," he adds, "that a satisfactory explanation of them cannot be given till they are compared with the man-

ners of the orientals." The ceremony he alludes to we conceive to be an oblation to fire, prescribed by the Vedas to be occasionally performed during the period of gestation; Fra Paolino considers it in a different light *judicent eruditi*. On the salutary effects of the customs practised by the Hindûs with regard to their infant progeny, many judicious observations occur. the frequency of the cold bath, the freedom from ligatures, and the exercises resembling the Roman *Juvenilia*, in which they are early initiated, conduce to a robust and healthy configuration of body. "In a word," says he, "I seldom saw in India a person either lame, crooked, or otherwise deformed. The people of Malabar, who live towards the west, are much handsomer and more robust than the natives of Coromandel, or the Tamulians on the eastern coast of India." An exact register of births in each cast has been kept in India from time immemorial; an institution

institution originally political, but which, under the Mahomedan princes, serves only to ascertain the pedigree of individuals. "The education of youth in India is much simpler, and not near so expensive as in Europe. The children assemble half-naked under the shade of a cocoanut tree, place themselves in rows on the ground, and trace out on the sand with the fore finger of their right hand, the elements of their alphabet, and then smooth it with their left when they wish to trace out their characters. This method of teaching writing was introduced into India two hundred years before the birth of Christ, according to the testimony of Megasthenes." It is singular that Megasthenes should have given evidence to a fact which happened one hundred years after his own death about three hundred years before the birth of Christ, Megasthenes resided at the Court of Sandrocotta, as envoy from Seleucus Nicator. In a person who has published a Sanscrit grammar, (we have not seen it,) it is wonderful to meet with so many misapprehensions as abound in the work before us. Fra Paolino mentions in this chapter, that *Saravada* signifies the art of speaking with elegance, and that *Amara Singha* is the name of a Sanscrit dictionary. Now *Saravati* is the name of the Goddess of Science; and *Amara Singha*, of the author of a well-known dictionary: his orthography is uniformly erroneous in substituting the letter *D* for *T*, and *G* for *C*; these we conceive to be the Malabar pronunciation; but would not a Sanscrit scholar have been able to detect and avoid such inaccuracies?

The second chapter, which treats of marriage, we have inserted entire in our last volume.

Chap. 3. *Laws of the Indians.*

—Their penal code, according to this superficial sketch, is directed principally against twelve crimes: 1st, Murder, which is extended by most to the death of a cow, and by some to that of all sentient beings: 2d, theft: 3d, adultery: 4th, falsehood, which is still, however, too prevalent: 5th, ebriety, "the contempt which the Indians entertain for the Europeans arises chiefly from the latter being so much addicted to drinking:" 6th, loss of cast, an useful institution, erecting the whole tribe into a sort of *censures morum*: 7th, demolition of edifices: 8th, adulteration of coin: 9th, cruelty and oppression: 10th, violence against priests, philosophers, and women: 11th, withholding payment of debts: and, lastly, entering a temple without the prescribed purifications.

It might be considered illiberal were we to insinuate that Fra Paolino did not understand a language of which he has published a grammar. It must, however, be acknowledged extremely singular, that, in proof of the above-mentioned Hindû laws, he has quoted one Sanscrit book where no such thing is to be found, and three treatises on the laws of the Buddhists, preserved in the libraries at Rome, and brought from Pegu. But the system of the Talapins differs essentially from that of the Brahmins; can it be imagined that a Sanscrit scholar would have recourse to the former to illustrate the jurisprudence of the latter? In our former volume we remarked that our author, somewhat petulantly, contradicted the assertion of Sir W. Jones, that the Vedas existed 1000, if not 1500 years before the birth of Christ. Fra Paolino shall now be adduced to prove them of a still higher antiquity. "In the laws of the Talapins," says he, "a great number of

of Sanscrit words occur, from which there is strong reason to conjecture they were originally written in the Sanscrit language. 2d, It is highly probable they were committed to writing about 1600 years before Christ, at a period when the school of the Samonei was in a flourishing condition." He then remarks, that these laws belong to the Sama, the second Veda of the Hindûs. If the laws of the Talapoins were committed to writing 1600 years before Christ, and extracted from the Vedas, the latter must have been still older, and Fra Paolino's contradiction of our great Orientalist will be as difficult to reconcile with his own statement, as the manner of it with politeness.

Chap. 4. Classes, or Families of the Indians.—Amongst the Brahmans there are various degrees of rank, proportioned to the sacerdotal functions they are qualified to perform. There are also various philosophical sects, as our author terms them, viz. the Brahmacheri, or the continent, the Grihastha, or the married, the Vanapresta, or the anchorit, and the Bhicshu, or the mendicant. "To the last sect, or order," says he, "belong those philosophical begging monks, known under the name of *Talapoins*, who, in the first century of the Christian æra, emigrated from India, and introduced the religion of Buddha, or Goutama, in Pegu, Siam, China, and Japan." Though, unquestionably, the mendicants of India are not all Buddhists, yet it is possible that the religion of Buddha may have been conveyed into those countries by mendicants.—But how must we reconcile the date above mentioned with the supposed antiquity of 1600 years before Christ, the æra assigned by our author for the composition of the sacred books of the Talapoins in the

Pali language? "The tuft of hair left by the Brahmans on the crown of the head, which every-where else is close shaved, is a distinguishing mark of their cast, and shews that the person who bears it, is consecrated to the priesthood." Did our author ever see a Hindû of any cast, however low, who was not distinguished by the same mark? The Chhetria cast suggests to our author a digression on the history of India; it commences with an inaccurate copy of the chronological table drawn up by Sir W. Jones, which, however, is not acknowledged.—Next follows a list of kings who actually existed, amongst these he includes only those mentioned by the Greeks, and, to finish the chain of absurdities, he places Vicramaditia fifty-six years before Christ, and Salbahan, the prince who deposed and put him to death, seventy-eight years before the same period. "The Vaisia, with their families, generally live in the country, where each has his own house and separate grove. In the latter stands a small temple, with an image of Siva, or of some other deity, to which flowers are presented every morning, after they have performed their ablutions." "The fourth noble cast (why noble?) consists of the Sudra. The meaner casts are called *Nisba* (*Nisbada* is the word) and *Chandal*; that is, contemptible, low, impure."

Chap. 5. Administration of Justice among the Indians, is applicable solely to the dominions of the Rajah of Travancore, with many other parts of our author's work.

Chap. 6. Languages of the Indians.—"The Samikreda is the mother of all the languages in India: but each of the dialects have their own alphabets, which, in regard to its shape and form, is different from all the rest. The most remarkable circumstances

circumstance here is, that all the component parts in the alphabet of the Burmese in Pegu and Ava are contained, but with some variation, in the Ethiopic alphabet of Gheez and Ambhar, have the same value, and are joined together in like manner. It appears to me historically certain, that the Peguan Burmans obtained from India the writings extant in the same era, as well as the alphabet belonging to that language, and instructions how to learn it. With regard to the Ethiopic alphabet, which has a certain resemblance to the Samscritic, there is reason to suppose it was brought to Ethiopia by those Indian gymnosophists, who, in the time of Apollonius, resided on a certain mountain not far from the Nile. Who knows but the Ethiopians, Persians, Tibetians and Peguans might have carried the Sanscrit language with them from India to their present countries?" We have not been able, on comparison, to discover any similarity between the Burman and Ethiopic character. It is certain, however, that the latter resembles the Devanagari, in a very singular syllabic arrangement; though the language partakes more of an Arabic than of a Sanscrit admixture. The dialects enumerated by our author are, 1st, the sacred language of Ceylon, which, he says, is still spoken in the kingdom of Candy. He does not surely mean the Pali; yet is not the Pali the sacred language of Ceylon? 2d, The Tamilic language, spoken in Tanjore, Madura, Masur, and Concan. 3d, The Malabar language, which extends from Cape Comari to Canara. 4th, The Canarian language, which prevails as far as Goa. 5th, The Marahda, spoken by the people whom our author says are improperly called Mahrattas. 6th, "The Telinga, an harmonious, nervous,

masculine, copious, and learned language!" spoken on the coast of Orissa, and in Golconda. 7th, "The common Bengal language, a wretched dialect, corrupted in the utmost degree." 8th, "The Devanagari, or Hindustani language, spoken at Benares." Is it possible that the author of a Sanscrit grammar should not know that Devanagari is the name of its peculiar character, which Fra Paulino has here mistaken for a distinct language? 9th, The Guzeratic; and, 10th, the Nepalic. "I have clearly proved that they all proceed from the Sanscrit, though Mr. Wilkins and Sir W. Jones maintain, that the Nagru, or Devanagari, makes properly the original and true character of the Samscritic language, and that it is by no means of Indian extraction, but was transplanted into India from Persia." The misconceptions contained in the above passage are so numerous, important, and obvious, that we should think our time ill applied in explaining their cause. A catalogue of Indian books follows, but, excepting the dictionary so often mentioned, we imagine Fra Paulino had seen none of them in Sanscrit; for he says, "the Mahabharata, or Great History, is written in Malabar verse, and consists of eighteen books." This poem was originally composed in Sanscrit, of which innumerable copies are still extant, though our author appears to have been unacquainted with that circumstance indeed, though it be so frequently quoted by him, one would be induced to think he had never seen it, even in Malabrian; for he says, "Aadi-parba is a poem, the subject of which is the origin of all things." Now the poem here mentioned as a distinct work, is only the first book of the Mahabharat. But the end, less criticisms required by our au-
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ACCOUNT OF BOOKS.

nor can contribute little to the amusement of our readers: we will therefore pursue the thread of our analysis, without interrupting it further by our animadversions.

The seventh chapter relates to the religion and deities of the Indians. Those who are conversant with the subject will not expect to see the veil of mystery which still obscures it, removed by Fra Paolino. The particulars he mentions constitute detached, and probably not very important, portions of one great system, which the limited researches of Europeans have hitherto been unable to develope. Of the three great sects, and the points on which they differ, Captain Wilford has given the best account, in his *Dissertation on Egypt and the Nile*, and to those who have perused it, it were superfluous to state the crude and imperfect notions of our author. Suffice it to say, that he considers Bhavani as the symbol of nature, whilst Brahma, Vishnu and Siva represent the three elements of earth, water and fire. A catalogue, rather than an account, is subjoined, of the inferior divinities, genii, and stations of rewards and punishments.

Chapter 8 treats of the hieroglyphical marks of distinction amongst the Indians. "It is a part of the superstition and religious practices of the Indians to paint on their forehead or breast certain hieroglyphical marks, which serve to shew either their peculiar veneration for some particular deity, or their attachment to a certain philosophic sect. Those who understand the secret meaning of these marks of distinction can immediately tell, when they meet a pagan Indian, to what religion or school he belongs." This is an useful chapter; but we could not render it intelligible without the engraving.

Chap. 9. Division of Time, Festi-

ivals, and Calendar of the Indians.

—An enumeration of the signs of the Zodiac occasioned Fra Paolino to assert that Cancer has been very improperly called *Carcata* by Sir Wm. Jones, when he should have said *Carkidaga*. But Sir William did not intend to give the Malabar appellation, and is not responsible for his critic's ignorance of Sanscrit. The latter supposes that the Indian months are named from the signs. If this be the case in Malabar, (which we greatly doubt,) it is peculiar to that country. Some interesting observations occur relative to the Indian ages and cycles, but as all that is valuable is taken from the Asiatic Researches, it were useless to comment on them here. A superficial account of the festivals closes this chapter: there is room for an interesting work on this subject, which should contain extracts from the Puranas, explanatory of their origin, and the ceremonies and recitations performed at their celebration. Such an account of the Indian Fasts would indicate the source, historical or astronomical, to which the wild, but interesting fables of this antique race, must be chiefly referred.

The 10th chapter relates to music, poetry, and architecture. "It is a certain truth, long known, that the art of poetry flourished in the earliest periods among the eastern nations. Thus the Hebrews had their hymns and their popular songs long before they were acquainted with the method of committing their thoughts to writing. As a proof that they had made considerable progress in this art, I need mention only the book of Job, and the ancient song which is to be found in the writings of Moses. It may be readily conjectured that the Indians also, a people who attained sooner to cultivation than many others,

others, were not destitute of poetry some thousands of years ago, and indeed several pieces which belong to that period are still extant. Of this kind are some war songs, which celebrate the exploits and heroic deeds performed by the god Rama, the Indian Bacchus, in the island of Lanca, or Ceylon. They contain panegyrics on the first Indian warriors and heroes, on the love of one's country, on the virtues of the people, and the happy condition of India during the remotest periods; all objects which give full scope to the imagination, and animate the soul with a desire of achieving splendid actions." Our author then gives a stanza of a Sanscrit song, and many examples derived from the Malabars: none of them possess sufficient merit to demand insertion. "During the song they frequently clap their hands, often change their tone and voice, according as the circumstance may require; sing sometimes in piano, and sometimes forte, and either let the tone issue through the nose, or force it out between their teeth with the greatest violence, and by quick and repeated clapping with the tongue. All this gives it the character of a bacchanalian and warlike music, which imitates the noise made by people engaged in battle. Their pastoral songs, on the other hand, are full of soft and tender expressions, and have in them somewhat languishing. They describe the kind of life which the god Crisno led as a shepherd during his residence on earth; but the former celebrate either the god Rama as a hero, or describe the actions performed by Crisno in the war which he carried on in conjunction with the five brothers, Pandu, or Pandava, against their relations the Curavas." In treating of architecture, our author observes, "that the

temples, their external inclosure excepted, are built either in a conical and pyramidal form, or cylindrical and round. Both these forms have a symbolic allusion to that of Mahadiva, the great God, or, what amounts to the same thing, the Sun." To this remark, however, "the pagodas at Malavalpuram, Salfette, and the island of Elaplanta, form exceptions, these being cut out in the solid rock." Fra Paolino considers the latter "to have been temples dedicated to Mithra, who was worshipped," says he, "not only in Persia, but in India." The rude state of painting and sculpture amongst the Indians is imputed by our author, with great probability, to the necessity under which the artist labours, of accommodating his design to the preconception of the priests." The Brahman prescribes the figure and form which a statue must have: under these, and no other, it must be painted; and the least part of his care is, whether these be consistent or not with the rules of art and good taste." Some useful observations on the arts conclude this chapter; the medicine and botany of the Indians occupy the next, and the following ones relate to the departure of the author on his voyage to Europe.

The gross errors which disfigure too many passages in this work may induce our readers to imagine, that we have devoted to it more of our attention than it may reasonably claim. These errors are in some degree compensated by useful information of a geographical and economical nature. The dogmatism of the writer would have induced us to expose a much more numerous list of absurdities, did we not recollect that a more minute criticism would contribute little to the amusement of our readers.

Letters on India, Political, Commercial and Military, relative to Subjects important to the British Interests in the East; addressed to a Proprietor of East India Stock: by Lieutenant-Colonel TAYLOR, Author of Travels from England to India, Considerations on the Practicability of an Overland Communication between Great Britain and her Eastern Dependencies, &c. &c. 4to, 270 pp. Carpenter, 1800.

IN Colonel TAYLOR's former publication we did not discover that general knowledge, comprehensive intellect, or accurate reasoning, which qualify their possessor to engage successfully in political discussion. Vague assertions and desultory remarks, are sometimes mistaken for specific information and profound reflection. His "Letters on India," however, come recommended by (at least) some portion of local knowledge, by a very apparent desire to obtain more, and an extreme readiness to favour the public with the result of his inquiries. We proceeded to analyse their contents.

In his preface, Col. Taylor remarks, that "certain causes and events have for more than thirty years past had a direct tendency to open a more general participation in the lucrative trade with India. The partition of Poland, the annihilation of the Turkish empire by the joint or separate efforts of the Russians and Austrians, the jealousies of the French and Dutch, the blended politics and intrigues of the nations on the shores of the Baltic, seem to have had some reference, near or remote, to that object." The above passage furnishes a happy example of that vague and inconclusive manner which too frequently usurps the place of argument. Does the Colonel mean that the events above alluded to, opened to the nations of Europe a more general participation in Indian commerce? That they bore some relation to it, "near or remote," will not be disputed, though it were difficult to state what. The

French have evinced their intention of retaining possession of Egypt, and of restoring it to that flourishing condition in which it may become most subservient to the political and commercial views of France. Those views probably tend to the interception of a portion of the Indian trade; the other states of Europe will coalesce in this design, in order to break the monopoly of the British, and to diminish the maritime power of this empire. The Porte is the natural ally of France, and may ultimately acquiesce in her possession of Egypt; but Russia, with which this nation has hitherto been united by a reciprocity of interests, is the power on which our author builds his hopes of weathering the storm with which we have to contend.

Letter 1st.—"The *phases*," says Col. Taylor, "which late revolutions in your governments have displayed, ought to convince us, that it is the intention of the Court of Directors, in conjunction with his Majesty's Ministers, to bring about some changes, in the name of reforms, in all your various departments." What those changes are cannot be inferred from this work; but the author considers them, even should they extend to the transfer of the army and territory from the Company to Government, as very uninteresting to the body of proprietors. The reported transfer of Canara and Malabar to the Presidency of Fort St. George, he views in a very different light; as a branch of implied contract with the Bombay servants,

a total discouragement to emulation, and a singular reward for the valour which procured the Bombay army such deserved applause at the termination of the late hostilities.

Letter 2d.—Our author here states his apprehension of the consequences of a measure, as he thinks, so detrimental as well as *unconstitutional*, as the transfer of Canara and Malabar to the Presidency of Fort St. George. He recommends their being added to Bombay as equally just and politic, in which case Mangalore might probably be considered the best situation for the seat of Government, whilst Seringapatam would form a grand link in the chain of connection. If the measure he deprecates should, however, be judged necessary, he trusts that a complete transfer of the Bombay Establishment, without injury to the rank of the Civil and Military Servants, may at the same time be effected, and the whole be incorporated with the Establishment of Madras.

Letter 3d.—The possession of Egypt by the French is considered by our author as equally important to that republic, as it must prove in its consequence detrimental to this nation. On this account, Colonel Taylor esteemed it his duty in 1798 to represent, "that the Nile, which is known to fertilize the country through which it runs, flows, by a long and straight course, through the kingdoms of Abyssinia and Nubia, before it descends into the lower country, where it forms, by many branches, the Delta of Egypt."—So far the Colonel's information can boast of little novelty, but what follows will make ample amends.

"The mutual intercourse of these countries, by means of the navigation of the Nile, is very great; and notwithstanding the prolific and abundant soil of Lower Egypt,

"it is very much in want of many supplies from those countries, thro' which the Nile runs and waters in its course." We have only to refer to the accounts of all travellers who have visited that country, for a complete refutation of this statement.

The situation of the coast of Malabar and its vicinity to the Straits of Babelmandel, the great plenty of shipping, together with our naval force in those seas, would enable the East India Company to detach from their settlements on that coast, an army of native troops, to occupy the banks of the Nile, and entirely to cut off the communication between Upper and Lower Egypt. These troops might, by way of the Red Sea, be landed at Cosair, from whence they could be marched to Gherna on the Nile. The Arabs would fully attract the attention of the French on the side of Syria, and towards the Delta and the Mediterranean sea.

But what grounds has the Colonel for expecting the co-operation of the Arabs, who are understood to have espoused the cause of France? If this plan should not succeed, however, our author has an infallible one in reserve, which must not be resorted to but in the last emergency; for, "there is no doubt that the plan of the great Albuquerque could be carried into execution, and the current of the Nile diverted into the Red Sea—Egypt would become an uninhabited desert, and the present people would be obliged to retire into Syria." To attack such a proposition by serious argument, were to pay a bad compliment to the understandings of our readers.

Letters 4th and 5th.—"However prejudicial the possession of Egypt by France may prove to Great Britain, it may be apprehended that the other nations of Europe will not consider

consider it in the same light; and even that many of them may view the participation of Indian commerce which may eventually result from it, as an object of acquisition. This consideration renders it important to adopt, without delay, active measures for the expulsion of the French from that country; without relying on the feeble efforts of the Porte for that purpose. The co-operation of the Arabs might, in our author's opinion, be easily obtained, and prove of essential utility.

Letter 6th.—It is here our office to announce some very singular associations of ideas, which Col. Taylor considers deserving of public attention. The influence of French example and morality will render each state attentive solely to self-aggrandizement, without regarding the means. The Emperor's acceptance of Venice, says our author, was as unprincipled as the French attack upon it. "Is it not because a trade to India can be carried on by that means? and may it not therefore be supposed, that the Emperor wishes success to the expedition to Egypt?" As a reward for preserving the peace of Turkey, Colonel Taylor thinks it probable that "Egypt might on the score of compensation be the equivalent for these services. Austria in possession of the Adriatic and Egypt, would, without doubt, attempt a trade to India." This would stimulate the jealousy of Russia, "and the result would be the partition of the dominions of the Ottomans, and the renovation of the empire of the Greeks." That all this will one day take place does not, our author thinks, require a prophetic eye to discern. But the natural ally of Great Britain is Russia, to cement that alliance by promoting the commercial prosperity of that rising state should be the policy of England. "Situated for the most

part in a cold and ungrateful climate, Russia has the most occasion to trade with India, which produces all the aromatics which the inhabitants of cold climates want; and a settlement on the south-east corner of the Caspian Sea would answer every purpose. In this situation, it is to be apprehended, that the great powers in India, far up the country towards Persia, and to the west of Delhi, aided by European engineers and officers, with ordnance and artillery-men, would march against our settlements down the Ganges, and we should not have time even to take leave of India." A canal drawn from the Don to the Wolga would, to use our author's language, "intersect the great continent of the world. When it shall be possible for a ship to sail from the Gulph of Persia into the Caspian, from thence by the Bosphorus to the Black Sea, and by the Dardanelles and Straits of Gibraltar to return to the Baltic, the world will assume a new appearance—!" The means of cementing more strongly the alliance between Russia and Great Britain, is by admitting of her participation in the trade to India. In return for this concession, "Russia should unite with Great Britain," to keep shut the communication with India by the way of Egypt and the Red Sea, and in preventing the Cape of Good Hope from again changing hands." Besides, "an army of Russians and Cossacs might be led by the city of Balkh to the frontiers of Hindustan. The source of the Amu and the Behat are but a few miles asunder. On the latter stands Cabul, the seat of empire of Zemau Shah. Both rivers are near Bamian, a considerable town in Zabulistan. An army well appointed, would be more than a match for the irregular tribes of Zemau Shah. An attack on his principal territories would preserve

tranquillity in India." Such are the speculations of Colonel Taylor. Our readers will certainly require no observations from us, to enable them to appreciate their value; we will, therefore, content ourselves with remarking, that the source of the Oxus or Amu is east of Badakhshan, and many degrees east of the situation assigned to it by our author—that Cabul is not seated on the Behat, but on the river Attoc; and that neither the Oxus nor Behat approach within several degrees of Bamian.

Letter 7th.—The most important information we have collected from this publication, is a disclosure of the motives for the late Embassy to Persia. "The invasion of the province of Khorasan, of Herat, and those countries which lie on the side of Persia, and have been wrested from it, is part of the plan formed by the Governor General for the safety of British India. An Ambassador has, I understand, been dispatched from our Asiatic Government to the Court of Persia, offering the assistance of the Company's troops to restore the dismembered parts of that extensive empire to their former allegiance." A superficial account of Ahmed Shah Abdalli, derived apparently from Captain Scott and Major Rennell, and of his successors, occupy the remainder of the letter. Some inaccuracies occur against which it is our duty to guard our readers. "The Sirr flows from the Aral through the country of the Kherghies." The truth is, that river flows through the country of the Kherghies and disembogues itself in the Aral. "The Mahomedans of the Patan or Afghan dynasty pursued their conquests with success till the reign of the great Aurengzebe, or Aalamgeer, when the empire of the Moguls arrived at the zenith of its glory."—

Colonel Taylor manifestly considers the dynasty of Afghan and Mogul princes as the same, without knowing that the latter empire was founded on the ruins of the first, long before the time of Aurengzebe. "Ahmed Shah Abdalli, one of Nadir's generals, was the son of a chief or independant prince, of the tribe of Abdal Afghans, in the vicinity of Herat, in the province of Khorasan." The fact is, that the birth of Ahmed was so obscure, that Mr. Forster could procure no certain intelligence concerning it, even at Cabul.

Letter 8th, presents only cursory and common-place observations on Liberty and France.

Letter 9th.—"A short Account of the Indian Trade from the earliest period of History." "Time," says our author, "which discloses all secrets, and produces both causes and effects, opened the eyes of Sesostris, who reigned over Egypt 1659 years before the Christian æra, to the advantages of Indian commerce." Here we have a very uncertain æra fixed with great precision, but had our author perused the work of the learned Doctor Vincent, he would have seen that no direct communication between India, Egypt and Phenicia was established till a much later period.—"The Persians too, before the days of Alexander, owed their greatness to Indian commerce, particularly under the first Darius, when the empire of Persia had not a rival. This Darius overthrew Philip of Macedon, and obliged him to pay an annual tribute of 40,000 pieces of gold. His son and successor, Darius the Second, was in his turn defeated by Alexander the Great, reputed son to Philip. Darius the First conquered some part of India; and we are told that he fitted out a fleet from the river Indus, which in the prodigious

prodigious space of two years and six months navigated the Arabian Gulph, and discovered to Darius the riches of India." How this commander could discover the riches of India by navigating the Arabian Gulph, is not very obvious; but it is extremely certain that Darius Hytaspes, who conquered part of India and dispatched Scylax on a voyage of discovery, died above a century before Philip of Macedon was born; and that Darius Codamannus, who was defeated by Alexander, and whom Colonel Taylor calls the son of the first Darius, was the ninth in succession from that prince. The subject which our author has here undertaken to treat, has been frequently illustrated by writers of eminence; we expected to find nothing new, and have found nothing.

Letter 10th. relates to the expediency of establishing a direct communication by land with India; and on this subject we are disposed to allow more weight to our author's suggestions, than to his political reflections, or historical disquisitions. The Colonel went to India by the route of Bussora, and his attention seems to have been directed to the subject ever since that period. The present establishment for the conveyance of over-land dispatches is said to cost the Company 10,000*l.* per annum; but if properly managed that expence might be intirely saved, and the charge be converted into a source of revenue. The route of Suez is stated as very considerably more expeditious than that by Bussora. An agent stationed at Messina, with a couple of packet-boats to convey the dispatches to Alexandria, whence they should be sent by the Consul General of Egypt to Suez by native messengers; boats stationed there for the purpose will convey them to Mocca, where two Company's cruizers should be in

waiting, one to sail for Bombay, and the other to Mangalore, whence the post-master should forward them to Madras, and so to Bengal. Such is the establishment required for the execution of this plan, by which, according to Col. Taylor, letters might reach Madras in 53, and Calcutta in 69 days, from this country. The port of Cossir might possibly prove more convenient than Suez; but whilst Egypt is occupied by the French, it were premature to discuss their respective merits. "The word Monsoon," says the Colonel, "is taken from the Malay language, and signifies a season." The proper word is Musum, which the Malays derived, with many others, from the Arabic.

Letter 11th.—To persons who are unacquainted with the discussions which are now agitated on the subject of Indian trade, this chapter may prove acceptable. After an hyperbolical eulogium on the effects of commerce, where, contrary to the sentiment of most philosophers, it is said "to elevate the mind and to promote the operation of the noblest passions," we find a statement of the concessions granted to free traders on the renewal of the charter in 1794. A statement by the Calcutta merchants, of the causes which precluded them from availing themselves of those concessions, follows; after which are inserted the regulations of the Marquis of Wellesley on this subject, and the further claims of the free traders, in addition to the indulgencies granted by that nobleman. We afterwards find a plan for the future regulations of the India trade; and was surprised to discover that the plan itself, as well as the observations which accompany it, are *verbatim* the same with those published by Mr. Playfair, in a work we have just analysed. To which of these gentlemen the honour of

priority is due, we will not determine; but our observations on the former supercede the necessity of any at present.

Letter 12th.—"The predominating passion of the present times," Col. Taylor informs us, "is commercial jealousy and political economy." Are these two passions, or the same? "The phrensy of religion," continues he, "and the gothic pride of feudal manners, have given way to the modern system of finance, and the science of calculation and commercial arrangement becomes closely connected with the prosperity of states and kingdoms. But it is difficult to restrain whatever happens to be the spirit of the times, within the just limits of prudent moderation." These observations must have some merit in our author's opinion, for we find them repeated in different passages; but is it necessary to restrain the science of calculation and commercial arrangement? Having already opened the India trade to the merchants of this country, by annulling the exclusive privileges of the East India Company, excepting in a few articles, our author proceeds to inquire in what manner foreigners are to be admitted to a share in these advantages. With this view, he proposes that the produce of Great Britain may be exported to India, in British or foreign ships, without any difference or distinction being made. "Could foreigners," says our author, "find a market in the English settlements of India, where they could dispose of their cargoes, and at a moderate and fair price purchase the manufactures of Hindustan, the consequence would be, that all the European nations would relinquish the idea of expensive establishments in the East Indies, as totally unnecessary, and carry on the trade with British India on terms

at once liberal and secure." We are unable to reconcile this observation with a preceding one, in which our author observes, "that foreign ships of every nation, although not directly allowed to fit out from any port of Great Britain, are permitted, under certain restrictions, to repair to all our ports in India without exception." We are still less able to reconcile it with the great argument urged by the advocates for free trade, that the present restrictions are calculated to throw a trade of inestimable advantage into the hands of foreigners, to the exclusion of British subjects. We will not on this occasion resume the discussion of the principles on which the claims of the traders are grounded; in our next publication, we shall probably have to advert to the subject in a more distinct form, and free from the crude opinions and contradictory positions with which it has been encumbered. We have already stated the important advantages accruing to Great Britain from her Indian possessions, on their present footing. great innovations are not introduced without great dangers, and the subsidiary regulations in India, requisite to give effect to the system proposed by the private merchants, will, in our opinion, materially affect the happiness of the native inhabitants, and the security of the territorial possessions.

Letter 13th.—This letter is intitled, "Of the Nature of Landed Property in India, as connected with Husbandry and Manufactures." On that subject, however, we do not find a syllable, but in lieu of it another innovation recommended, which, notwithstanding the gravity with which it is proposed, we cannot regard as intended to be viewed in a serious light. If it be serious, it will prove, that where the predominant passion, to use Col. Tay-

lor's phrase, is political economy, the wildest speculations will appear practicable, the highest injustice, equitable, and the most solemn engagements, a *carte blanche*. We insert this extraordinary proposition in the words of the author.

"I would therefore propose, as the found unchangeable article of a permanent code, that all disputes concerning the tenure of lands, Births, Inheritance, estate, and all fundations, or the laws in that connection, shall be the property of the possessors, and decided by their heirs forever."

"This plan would bid fair to interest the great body of the people in the stability of our Government. This being thrown out of the vessel of state, as a sheet anchor to hold her fast amidst the civil tempests and storms which might otherwise be expected to arise amidst innovations, other laws would be established, explaining, limiting, and restraining that general arrangement, in such a manner as to support the authority of Government, maintain all orders of men in their ancient and just rights, and, above all, to guard and protect the independence of the people, in opposition to the opulent, the luxurious, and the idle, whether natives or Britons. And for this end, which, though last mentioned, is the chief in importance, as it involves in a great measure the other two, it is proposed, that the rent of every farm be converted into a freehold for ever, transferring, at the same time, all land taxes and all public burdens, with all contingent engagements of the freeholders, from the landlord to the freeholders, for ever. By this law the tenant would receive security in his present possession, and the landlord a lucrative compensation, in place of the uncertain increase of a rack rent."

As important innovations are particularly dangerous in distant possessions, it might be advisable for our author to suggest a trial of this experiment in England, before the promulgation of this new code in India. Of the first article, which enjoins a *cessation of all disputes*, we highly approve!

Letter 14th.—"It is a certain fact, and is a subject of great regret to this country, that the native

powers of India have, for several years past, been making rapid improvements in tactics, and have in no branch of military science been more assiduous than in that of gunnery, and the management of their field artillery. In this branch, which is, next to fortification, the most abstruse, they have been considerably assisted by Frenchmen and other foreigners, and there is little doubt but in a very few years, with the same exertion they now employ, that they will approach very near us in this useful and essential part of the military art." Other circumstances unfavourable to the permanent establishment of a powerful dominion in India, counteract, in our author's opinion, the danger which might result from the improving state of tactics, to the British territory in that country. "The great military powers now existing in Hindustân, and who have risen on the ruins of the Mogul empire, are the Mahrattas and the Nizam, or subahdar of the Deccan; for the empire of Tippoo Sultaun is now no more. The Seriks are also deserving of our attention, and the recent apprehension of the invasion of Zemaun Shah from the countries situated beyond the western banks of the river Indus, are at this crisis particularly interesting, and although he is not immediately an Indian power, he is, nevertheless, inevitably connected with our present discussion, which is to shew the actual force of Hindustân, and the influence they all have on the permanency or fall of our East Indian possessions. "The people of the Deccan," says our author, "were divided into many casts or classes, of which the Dera, Parwari, and Pariar, were the lowest orders, and termed unclean. the Mahratta is only one degree higher, and consequently no very nice observer of the

scrupulous tenets of the Hindû religion." It is incumbent on us to rectify the very important misconception into which Col. Taylor has here fallen, he supposes the Mahrattas to be a cast, but, in truth, they are a nation, so called from inhabiting the country of Maharashtra, an ancient division mentioned in the Puranas. In that country are to be found Mahratta Brahmans, Chetiya, Vaisya, and Sudra, precisely as in Bengal the same distinctions prevail, and are denominated Bengal Brahmans, &c.

"The Mahratta cavalry consists of four classes, 1st, the Khala P. igah, or household troops, 2^d, the cavalry of the Selladars," [it should be Rofaladars]; "3^d, the volunteers, and 4th, the Pundara or lootes. The infantry are divided into regular and irregular. The artillery is in a wretched state, and, in general, under the direction of a principal officer, who employs as many renegade Europeans as can be induced into the service. The Khala P. igah receive a monthly pay of 8 rupees. Their horses are purchased and maintained at the expence of Government. The Selladars are an establishment extremely curious, and unknown in any country whatever. They breed the horses for the use of the Mahratta cavalry, and receive 35 rupees per month for each horse they are able to furnish. It is no uncommon thing for a Selladar to commence his career with a single mare, and in a few years to furnish thirty or forty horses for the service of the state. He is under no tie or obligation to any particular chief, but seeks employment wherever he can find it. The Selladar selects for his purpose a place best suited to his plan; the more sequestered the better he is satisfied. In the midst of a secluded jungle, he rears his horses under the management of his family, while he repairs to camp with whatever he can spare. His stock is yearly increasing; for the brood mares are carefully kept at home for the intended purpose. By this extraordinary attention to the propagation of this noble and useful animal, are the Mahrattas enabled to bring into the field those almost innume-

merable bodies of cavalry which sweep the country, and, like a torrent, carry every thing before them."

Letter 16th—This letter contains "Outlines of a Plan for liquidating the Debts of the Company, and increasing its Capital." The scheme suggested for this purpose is, "that the individual stockholders should, for a series of years, employ under their own direction a small portion of their dividends in establishing a fund to pay off debts already contracted, and to prevent the usurious transactions that in time of war take place in India. They should have agents of their own, empowered to buy up bonds or other securities, but not empowered to do any thing else. And such is the progress of accumulating interest, that it would not be many years before the revenues of the Company could, on its present stock, divide above 30 per cent. By giving up annually *sl. 12s. 6d.* out of *10l. 10s.*, which is the present dividend on 100*l.* originally subscribed, the stockholder will still reserve to himself *6l. 17s. 6d.* which will afford him *sl. 8s. 9d.* per cent. interest for his money, besides being a creditor on the Company's finances, at the expiration of the charter, to a considerable amount."

Another letter recapitulates and concludes the discussions in which we have been engaged. The political importance of Bombay, the free trade to India, and the means of procuring the friendship of the Emperor of Russia, are the subjects to which this publication principally relates. But we apprehend a more minute statement of its contents would not contribute *materially* to the amusement of our readers.

A Digest of Hindu Law, on Contracts and Successions: with a Commentary by Jagannátha Teerapanchánana. Translated from the original Sanscrit, by H. T. COLEBROOKE, Esq. Judge of Mirzapore, Resident at the Court of Benar, and M. A. S. In Three Volumes, large 8vo. DEBRET. 1801.

THE administration of justice constitutes the important object of political society, the insignia of legal power, the assemblage of deliberative wisdom, the parade of military discipline, the great officers of state and of revenue, are only the means employed to support this primary end of government. These means vary in different countries, but the object in all is the same, and however complicated the vast apparatus of state machinery, it is erected, maintained, and defended from a confidence in its efficacy, towards establishing the security of property; and a system of retributive justice, corresponding with the received opinions that prevail among the individuals who compose the community. "God," says the sacred Veda, "having created the four classes, had not yet completed his work, but, in addition to it, left the royal and military class should become insupportable on account of their power and ferocity, he produced the transcendent body of law; since law is the king of kings, far more powerful and rigid than they; nothing can be mightier than law, by whose aid, as by that of the highest monarch, even the weak may prevail over the strong."

Abstract justice is incapable of being affected by the prejudices or opinions of mortals; but, in the practical administration of civil jurisprudence, these must be allowed their full weight: a code of laws, however perfect when abstractedly considered, is inapplicable to every

people, whose notions of justice are previously moulded to a different standard. Those rules of conduct and engagements in civil life which are held sacred by the parties themselves, constitute the only true criterion for determining private contests. On these liberal principles were the Hindu and Mussulman subjects of Great Britain confirmed, by a legislative act, in the enjoyment of their own laws of contracts and inheritances, which are of the most extensive use in private life. To illustrate the Hindu Laws, the *Vivadarnava Setu* was compiled by order of Mr. Hastings, and thought useful for that purpose; yet it by no means obviated many material difficulties, nor superseded the necessity of a more ample repository of Hindu Laws, especially on the twelve different contracts, to which Ulpian has given specific names. These are very succinctly and superficially discussed in that work, whilst the Persian epitome translated by Mr. Halhed was loose and injudicious, omitting many essential passages, and interpolating others of little importance, and no authority.

In his "Correspondence with the Government of Fort William," Sir William Jones suggested the necessity of obtaining a complete Digest of Hindu Laws, after the model of Justinian's admirable *Pandects*, in order to give the natives a permanent security for the due administration of justice. His patriotic offer of gratuitously superintending, and of translating, the compilation,

was gratefully embraced by the Bengal government, and the best-informed Persons of the Company's provinces were employed in preparing different portions, under the immediate superintendence of the venerable and learned Jagannátha Tercapanchánana.

Preparatory to this copious Digest, Sir William translated and published that system of duties, religious and civil, and of law in all its branches, which the Hindus firmly believe to have been promulged in the beginning of time by Menu, son or grandson of Brahma, or, in plain language, the first of created beings, and not the oldest only, but the holiest of legislators; a system so comprehensive and minutely exact, that he termed it the Institutes of Hindu Law. The premature death of Sir William Jones before the compilation was completed, is an event to be regretted on every account, and the translation of the Digest was confided to Mr. Colebrooke, as to the person best qualified to discharge so important a duty. The motives which have actuated all the parties concerned in this laborious undertaking, are so highly honourable to themselves, that we have thought it our duty to state the steps, by which an ample Digest of Hindu laws has been brought to perfection. Amidst the clash of arms, the contests of political parties, and the interested clamours of mercantile men, it is grateful to turn our eyes from such scenes, to a country where learning is employed for the purposes of benevolence, where the arduous labours of Indian and Englishmen are patronised by a liberal government, for the permanent advantage of both; and an ingenious and ancient nation contemplates a system of laws, consecrated by their religious dogmas, revived, explained, and administered.

ed, under a race of foreign conquerors, from a remote region of the globe.

"The *Dharma Sastra*, or sacred Code of Law, is called *Smṛiti*, what was remembered, in contradistinction to *Śruti*, what was heard: by these names it is signified, that the Veda has preserved the words of revelation, while the system of law records the sense expressed in other words. It has been promulgated by thirty-six ancient sages, who are named in three verses of the *Padma Purana*." Of these legislators, the first is Menu, whose code has already appeared in an English translation. Atri, one of the ten lords of created beings, is by some considered of the number; a perspicuous treatise in verse, attributed to him, is still extant. An ancient philosopher, named Viṣṇu, is reputed author of an excellent law treatise in verse, and Harita is cited as the author of a treatise in prose. Yājñavalkya is described, in the introduction of his own Institutes, as delivering his precepts to an audience of ancient philosophers assembled in the province of Mithila. — Uśanas is another name of Sucra, the regent of the planet Venus, his Institutes in verse, with an abridgment, are extant. Vrihaspati, regent of the planet Jupiter, has also a place among legislators; the abridgment of his Institutes, if not the code at large, is extant. These, with their various commentators, and a very numerous list of law compositions, of a date comparatively modern, are cited in the following Digest. Amongst them we preserve the names of Parasara, who is considered as the highest authority for the fourth age; and Vyasa, the reputed author of the Puranas. By way of illustration, the venerable compiler Jagannátha sometimes cites the epic poem of Valmiki.

Valmiki, on the military exploits of Rama; the sublime works of Udayanācharana, the reviver of the rational system of philosophy; the dramas and epic poem of Callidas, and the lyric verses of Jayadeva.

The title which the compiler of this Digest has bestowed on his work is Vivada Vhangārṇava, which we experience some difficulty in rendering into English. Literally, it signifies "the ocean of rules for the decision of suits," it seems equivalent, in our language, to the repository of jurisprudential maxims. Of the manner in which the translation has been performed, Mr. Colebrooke thus expresses himself, with a modesty which enhances the merits of his laborious and successful undertaking. "Nothing which diligence could effect has been omitted to render the translation scrupulously faithful; and to this it has frequently been necessary to sacrifice perspicuous diction. Should it appear to the reader that much of the commentary might have been omitted without injury to the context, or that a better arrangement would have rendered the whole more perspicuous, he will remember, that the translator could use no freedom with the text, but undertook a verbal translation of it; what has been inserted to make this intelligible, is distinguished by *italics*, as was practised by Sir William Jones in his version of Menu and of the Śrajiyyah; in very few instances has any greater liberty been taken, except grammatical explanations and etymologies, which are sometimes, though rarely, omitted or abridged, where a literal version would have been wholly unintelligible to the English reader."—"Thus, with an index, and a few scattered annotations," says Mr. Colebrooke, "may prove sufficient to assist the occasional perusal of a work intend-

ed to disseminate a knowledge of Indian law, and serving as a standard for the administration of justice among the Hindu subjects of Great Britain, to advance the happiness of a numerous people."

We insert entire the Preface of the venerable compiler, originally written in verse:

"Having saluted the ruler of gods, the lord of beings, and the king of dangers, lord of divine classes, the daughter of the king of mountains, the venerable sages, and the reverend authors of books,

"1 Jagannātha, son of Rudra, by command of the protectors of the land, compiled this book.

"2 Entitled the sea of controversial waves, perspicuous, diffusive, with its islands and gems, pleasing to the princes and the learned.

"3. What is my intellect, compared with the sacred code? A feeble bark on a perilous ocean. The favour of the supreme ruler is my sole refuge in traversing that ocean with this feeble vessel.

"4 The learned Radhacanta, Gurupresada of firm and spotless mind, Ramamohana, Ramidi, Ghanalyama, and Gangadara, a league of assiduous pupils, must effect the completion of this work, which shall gratify the minds of princes: of this I have unquestioned certainty

"5. Embarking on ships, often do men undaunted traverse the perilous deep, aided by long cables, and impelled by propitious gales

"6 Having viewed the use of laws and the use, as promulgated by wise legislators in codes of law, and as expounded by their intelligent authors,

"7 And having meditated their obscure passages, with the lessons of venerable teachers, the whole is now delivered by me."

The work is divided into two parts; of which the first treats of contracts, and the last of successions. Each of these are subdivided into what the compiler (in allusion to the ocean, mentioned in his title) calls islands and gems; but the translator has judiciously substituted books and chapters, in the room of these metaphorical designations. We proceed to exhibit a summary analysis of each chapter.

Chap.

Chap. 1. On Loans.—"Nareda.—What may, or may not, be lent; by whom, to whom, and in what form; with the rules for delivery and receipt, are held comprised under the title of loans delivered (tinadana)." A loan is defined to be "money advanced with a view to the future revived property of the creditor, and to his gain by means of interest or the like, in a loan, for, even without interest, there may be friendship gained, or the like." Money lending, together with agriculture, traffic, and attendance on cattle, are declared to be the proper subsistence of the third class; the King should order each of them to practise these modes of subsistence; but they must not be resorted to by the other classes, unless when they are unable to subsist by the exercise of their proper functions. A Vaisya should appropriate a moiety of his property to his own subsistence; a fourth for pious uses, and the remaining fourth he may lend or augment by commerce. Women, slaves, and children, possessing no exclusive property, should receive no loans; though their debts contracted for the subsistence of the family, during the absence of the master, are recoverable. This, however, is a prudential precept; on the same grounds, friends and spiritual parents should not be chosen to lend money to; and a pledge, surety, written agreement, and witnesses should be obtained on delivery. — Pledges are of two kinds, one to be used, such as land; another to be kept, as a mass of iron: sponsors also are of two kinds, one for appearance, the other for payment. Agreements, if written in the grantor's own hand, require no attestation; if otherwise, three witnesses are required, of the same sex and class with the party, if procurable. "Menu—Even in the space of six months men forget

occurrences: therefore were letters and writings anciently invented by the beneficent Creator." The compiler observes, that "by the custom of the country, instruments are now written in the dialect of the Yavanas," by this he means Persic, as distinguished from the divine invention. The form of signature for the debtor, the witnesses and amanuensis are all specified. If one be ignorant of letters, his signature must be written in presence of all the rest. "In this contract," says Nareda, "there are two things which give confidence to the lender, a pledge and a surety; and two which afford clear evidence, a writing and attestation."

Chap. 2. On Interest.—The refinement which must have taken place in Hindustan previously to the promulgation of these laws, when compared with other nations of antiquity, demands observation: interest is prohibited by the law of Moses; Aristotle declares it a perversion of the end for which money was instituted; the Indian legislators say, "that it is the nature of a loan, that it should produce to the lender the principal sum advanced, and an interest in addition thereto." The texts declaratory of the rate of interest are very numerous; we select a few. "Vyasa: Monthly interest is declared to be an eightieth part of the principal, if a pledge be given, an eighth part is added if there be only a surety; and if there be neither pledge nor surety, two in the hundred may be taken from a debtor of the sacerdotal class." Yajnyawalkya adds, "It may be in the direct order of the classes," viz. two per cent. per month from a Brahmana, three from a Chatriya, four from a Vaisya, and five from a Sudra, when there is neither pledge nor surety. There are six kinds of interest: "calica is interest by the year; calica by the month;

month; chaṭṭaviddhi, compound interest, caṭṭa, interest specially promised in a time of extreme distress, sic'haviddhi, interest payable daily, bhōgalabha, the use and profit of a slave's labour and the like." Of these, chaṭṭaviddhi and caṭṭa, are immoral, but not illegal. If the interest be not regularly demanded and received, it stops on gold, gems, and money, when the debt is doubled, after which interest ceases; on some articles it may be trebled, and on others even octripled. But where regularly received daily, monthly, or annually, according to agreement, it is not illegal, though amounting to a sum exceeding the principal. The attention of the learned has been arrested by a passage in the institutes of Menu, authorizing a higher rate of interest, for money lent on maritime speculations, as arguing a state of society highly commercial and enlightened, and scarcely compatible with the remote date assigned to his code. We insert the following texts relative to this curious subject of investigation. Yajnyawalkya says, "All borrowers, who travel through vast forests, may pay ten, and such as traverse the ocean, twenty in the hundred, to lenders of all classes, according to circumstances, or whatever interest has been stipulated by them, as the price of the risk to the lender." Menu enacts, that "Whatever interest or price of the risk shall be settled between the parties by men well acquainted with sea voyages, or journeys by land, with times and with places, such interest shall have legal force." The reason of these respondentia laws is assigned by the commentators. "Such as travel by difficult roads, where life is endangered, necessarily obtain greater profit, and therefore pay higher interest, but those who voyage by sea (a still more difficult

route, in the highest degree tremendous, where life is exposed to the utmost danger), transporting large cargoes with great trouble, certainly obtain still greater profit, twice as much should, therefore, be paid by them." May it not be inferred, that the exception in favour of maritime adventures was viewed by the legislators as a necessary relaxation of the laws, to promote foreign commerce; that in the interval between their æra, and that of their commentators, the Hindus had lost their maritime spirit; and that the latter consequently assign the exception solely to the magnitude of the profit and the risk, though these considerations were combined with a political motive, in the minds of the legislators?

Chap. 3. On Pledges, Hypothecation and Mortgage.—Pledges are divisible into four parts: Moveable and fixed; for custody only, and for use; unlimited, and limited as to time, with a written contract, and with a verbal attested agreement. "Yajnyawalkya. If a pledge for custody only be used, there shall be no interest; nor, if a pledge for use be damaged." Nareda declares, "If a pledge be lost, and the creditor do not replace it, the principal itself shall be forfeited, unless the loss was caused without his fault, by the act of God, or of the King." In the latter case, Vyasa enacts, "Immediately after the loss of the pledge, the debtor shall always be compelled to pay the debt with interest, or deliver another pledge." The whole amount due to the pledgee must be paid before the pledge can be demanded; but when that is tendered, the latter must restore it, or is liable to punishment as a thief. "If the creditor," says Yajnyawalkya, "be dead or absent, the debtor may pay the debt to his kinsmen, and shall take back his pledge." Mortgages

Mortgages contracted for a specified term, cannot be dissolved before that term is expired, if unredeemed at that time, the pledge is forfeited. Catayana ordains, "When the pawner is missing, let the creditor produce his pledge before the King, it may then be sold, with his permission: this is a settled rule: receiving the principal with interest, he must deposit the surplus with the King. Hypothecation is not valid without complicity, and of two mortgages, the first in point of time has the preference, but where this priority cannot be ascertained, the earliest possessor retains the pledge. In weighing the merits of opposite claims, written evidence is preferred to oral testimony; and a deed accurately drawn out with due specifications, sometimes prevails over a prior one, if loose and indolent."

Chap. 4. On Sureties.—Enemies and intimate friends; criminals and anchorites; coheirs and persons of doubtful character; should not be accepted as sureties; nor near relations whose property is in common. There are three sorts of sureties, for appearance, for honesty, and for payment: the sons of the two first are not amenable, but the son of the last may be compelled to pay the principal sum lent, without interest.

Chap. 5. On the Payment of Debts.—"Vrihaspati. The father's debts must be first paid, and next a debt contracted by the man himself, but the debt of the paternal grandfather must even be paid before either of these. The sons must pay the debt of their father, when proved, as if it were their own, or with interest; the son's son must pay the debt of his grandfather, but without interest; and his son, or the great grandson, shall not be compelled to discharge it, unless he be heir, and have assets." Thus, we find that assets may be followed in

the hands of any representative, without which the obligation of the defendants to pay is only a moral and religious, but not a civil one. If there be neither a son, nor other legal successor, the guardian of the widow is liable for the debt. The heir of an absent person is not required to discharge his debts before the expiration of twenty years, excepting debts for the subsistence of the family, for which each of the members are liable, whilst the property remained in common. But for debts contracted for any immoral purpose, the heir is not held responsible.

Chap. 6. On Redress for Non-payment.—Menu ordains that, "By the mode consonant to moral duty, (*viz.* the mediation of friends,) by suit in court, by astful management, or by distress, a creditor may recover the property lent; and finally, by legal force." The first mode is by the interposition of friends and mild remonstrances; if the debtor acknowledge the debt, he may be dragged before the court, and confined until he pays it, which is the second; the third is by borrowing, or otherwise obtaining some article of equal value from the debtor; distress, is by confining the son, wife, or cattle of the debtor, or watching constantly at his door; and force is by causing him to be bound, or beating him. But these different methods of extorting payment are applicable to different descriptions of persons, and proportioned to the respectability of their characters.—This leads to a curious discussion of the qualities which attract consideration. Yajñavalkya declares, "Science, moral conduct, age, kindred and wealth, entitle men to respect; and most, that which is first mentioned in order: with these qualities even a Sudra deserves respect in his old age." The Commentator observes that, "Should many ve-

nerable

nerable persons be assembled, respect must be first shewn in society to the learned man; next to him whose conduct is pure; afterwards to the aged man; next, to one who has learned kinsmen or the like; and lastly, to the wealthy man. And this concerns priests: valour and the like, chiefly entitle a soldier to respect, and riches, a merchant." If the prisoner can find bail for his appearance, he may be liberated at the hour of meals, and at night. "Cattayana: The creditor may exact payment by labour, from a debtor of the military, commercial, or servile class, if he be either equal to himself, or lower. But if he compel the debtor to do any improper work, not stipulated at first, he shall be fined in the first amercement, and the debtor shall be released from his demand." The Commentator observes, "That sort of labour is reprehended, which is not authorized by the system of law. For example, the regular employment of a Chatriya is the use of arms offensive and defensive," to him commerce is an abject occupation, and should not be assigned. "Daughters and sons should not be sold; therefore, from parity of reasoning, no debtor can be compelled to sell his children, inasmuch as the act is immoral." The debtor incurs neither civil nor moral reprehension for recovering his debt by any of the methods above enumerated; when interest has doubled, the debt must either be discharged, or a new obligation granted, bearing compound interest from that date. But in case of a debt being contested either wholly or in part, the debtor replies, "I will pay whatever by law shall be declared to be due," when the creditor is fined, if he attempt to obtain his demand, otherwise than by judicial process. A false claim or a false denial may be punished by an

amercement of double the value, but these fines are mitigated at the pleasure of the Court. The order of payment is thus explained in the gloss of the Mitakhyara: "If the creditors be of equal class, the debtor shall be compelled by the King to pay the debts in the same order in which they were contracted; but if there be variance of class, in the order of the classes, sacerdotal and the rest." "The debts," says the Commentator, "shall not be liquidated by a distribution of proportionate shares of the debtor's assets. A refusal to grant an acquittance for partial payments is punished by the forfeiture of the balance." The means of proof are thus enumerated by Yajnyawalkya. "In a disputed case, the document must be proved by the handwriting of the party or the like, by reasonable inference, by evidence of the contract which the instrument records, by a peculiar mark, by connexion and dealings of the parties, by the contents of the document, or by previous recourse to measures for recovery." Much acuteness is displayed by the Commentator in exemplifying the methods employed to ascertain the debt. Our limits are altogether inadequate to give even a brief exhibition of the shrewd observations, intricate deduction, and sound ratiocination employed, in adapting to practice, the venerable institutions of a remote age. For these, we must unavoidably refer to the work itself.

The second book treats of deposits, sale without ownership, concerns among partners, and subtraction of what has been given. We will review the Hindu laws of coparcenary.

Vol. II. Book II. Chap. 3. On Concerns among Partners.—Of this, the first sort is a co-partnership in trade. Vrihaspati enjoins that "As his share of the outlay is equal, greater

or less, in the same proportion, unless by special agreement, shall each partner pay charges, perform labour, and receive profit." In disputes between two partners, the others are the natural arbitrators; one partner is admitted as a legal evidence for another, and if one be accused by the rest, and unable to clear himself by evidence, he may demand a trial by ordeal. Vrihaspati directs that "When the principal stock, or the profits, are diminished, in the case of partnership, by the act of God, or of the king, that loss must be borne by all the partners in proportion to their shares." Yajnyawalkya further adds, "If one partner does what the others forbid or disapprove, or if he be negligent in doing what they allow, and the common property be injured, he shall make it good; but he who preserves it from robbers, or other misfortune, shall receive a tenth part of it as his reward." A fraudulent partner is defined to be, one who is averse to the performance of work, and one who embezzles property; in either case he may be expelled, on refunding his share of the principal stock. Vrihaspati enacts, "If one of the traders in partnership happen to die, his share in the stock must be produced before officers appointed by the King. And when any man shall appear calling himself heir to the deceased, let him prove his right of ownership by the testimony of other men, and then let him take his property. Let the King receive a sixth part from the property of a Sudra, a ninth from that of a Vaishya, a twelfth from that of a Chatriya; a twentieth from that of a Brahmana. But after three years have elapsed, if no owner of the goods appear, let the King take the whole; but the wealth of a Brahmana he must bestow on Brahmanas." As a branch of the sub-

ject, we are now presented with the law of partnership, as it concerns priests jointly officiating at the celebration of holy rites. Should a priest from accident or disaster, be unable or disqualified to perform the part he had engaged to discharge, in a sacrifice already begun, he is entitled to appoint a substitute, and to receive the sacrificial fees. These fees are not divided equally among the officiating priests, but according to the nature of the functions each is engaged to perform. If the sacrifice may be performed at any time, the convenience of the priest must be consulted; but if its efficacy depends on a certain lunar day, another must be appointed. The priest who deserts a sacrifice already begun, without urgent necessity, and the sacrificer who forsakes the priest without just cause, shall incur a fine of 200 panas. "Nareda: Officiating priests are of three sorts: the first, an hereditary priest, honoured by former generations with the employment of officiating priest; the second, appointed by the party himself, the third, he who voluntarily officiates on account of private friendship." But can this office be partitioned among the sons of such priest? The commentator replies, "In certain towns, and for particular rites, the office of priest is hereditary in some families, and partition is there customary, and should be admitted in such instances. It is the hereditary office of some persons to deliver written instructions in the form of penance, and the like, in these instances also partition should be allowed." Another branch of this title relates to partnership in loans, in husbandry, in arts and in plunder. The act of one partner in a banking concern is binding on all his associates; they are responsible individually for debts jointly incurred, and if one partner re-

fuses his concurrence to the demand of a just claim, such partner forfeits his share of the interest accruing on the debt. When husbandmen are united in partnership, "He, thro' whose deficiency in cattle and seed, a loss happens in the joint cultivation, shall indemnify all the cultivators." In a partnership of artists or manufacturers, the pay is distributed in proportion to the skill and rank of several artists, provided no special agreement supercedes the general law. A curious discussion follows respecting the division of a gratuity to a band of musicians, and a still more interesting one, on the division of plunder. Catyayana declares, "Of an enemy's property brought from a foreign country, by robbers commissioned by their lord, the king shall have a tenth part." The commentator is pleased to reconcile this employment of robbers with other texts, requiring the monarchs to use all possible diligence in suppressing them. He concludes finally, by considering them a authorized instruments of warfare, by which the power of a neighbouring state may be reduced.

Chap. 4. On Subtraction of Gifts. Eight sorts of property are declared unalienable. "Nareda. What is bailed for delivery, what is lent for use, a pledge, joint property, a deposit, a son, a wife, and the whole estate of a man who has issue living, the sages have declared unalienable even by a man oppressed with grievous calamities, and of course, what has been promised to another." Gifts for religious purposes are irrevocable, and must be made good by the son, if the votary died before the performance. A coheir may, however, bestow or sell his own share of a joint property. A son may be given to another for adoption, provided he have brothers. The pro-

hibition of aliening the whole state is founded on the necessity of leaving subsistence for future generations. "Even they who are born, or yet unborn; and they who exist in the womb, require funds for subsistence, the deprivations of the means of subsistence is reprehended." Immoveable property and slaves may neither be sold nor given away, without the consent of the sons of the party. But it must be observed that of the above gifts some are declared null, others are punishable by amercement, and others only immoral. The bequest of a man's whole property to his eldest son leads to a most interesting and curious discussion on the succession to kingdoms, which the venerable compiler treats with equal learning, ingenuity and candour. The translator remarks that "the digression is not altogether misplaced, for the great possessions, called zemindaries in official language, are considered by modern Hindû lawyers as tributary principalities; and it might seem necessary to determine whether they be alienable and hereditary by the same rules with other landed property." That modern zemindars were in the contemplation of the learned commentator, is evident from his concluding observation. From apprehension of offending very great persons, it is not here examined whether some modern princes, who are not independent in the government of their subjects, but merely employed in levying the revenue of the paramount, should, or should not, be acknowledged as kings. Conformably to the plan of our analysis, we have shortly noticed the merits of this digression; but we have inserted it entire in our *Miscellaneous Department*. That property which exceeds the necessary subsistence of the possessor's family

is alienable. Menu enumerates seven virtuous modes of acquiring property, of which, three, succession, occupancy and purchase, are allowed to all classes, conquest is peculiar to the military tribe, lending at interest, and husbandry or commerce, belongs to the mercantile profession, and acceptance of presents from respectable men, to the sacerdotal class. The doctrine of alienation may be thus summed up. joint property which has descended from ancestors can only be given away with the consent of the partners; if it has been divided, the consent of the donor's posterity is requisite; and this also is necessary for the disposal of immovable property acquired by the donor himself: divided moveables may be alienated at the donor's pleasure, in the case of wealth acquired by marriage, the assent of the wife is requisite, of other property, acquired by a man himself, a gift may be made at his own pleasure. Irrevocable gifts are thus enumerated: "Nareda: They who know the law of gifts, declare, that things once delivered as the price of goods sold, as wages, for the pleasure of hearing poets, musicians, or the like, from natural affection, as an acknowledgement to a benefactor, as a nuptial gift to a bride or her family, and through regard, cannot be resumed." The following gifts are declared to be void, *de se*. "Nareda: What has been given by men agitated with fear, anger, lust, grief, or the pain of an incurable disease; or, as a bribe, or in jest, or by mistake, or through any fraudulent practice, must be considered as ungiven. So must any thing given by a minor, an idiot, a slave, or any other person not his own master, a diseased man, one insane or intoxicated, or in consideration of work unperformed." In extreme distress,

a coparcener is permitted to alienate his portion of a joint property; by persons not their own master, are understood women and sons, though the latter may alienate property acquired by himself. The same causes which annul gifts, operate in regard to contracts; bribes are declared unlawful and resumable, and those who bestow gifts in opposition to the above rules liable to amercement, such as are founded on mistaken considerations are also void; as well as promises unadvisedly made during extraordinary perturbation, from whatever cause.

The third book relates to the non-performance of agreements.

Book III. Chap. 1. *On the Non-payment of Wages or Hire.*—Servants are distinguished into two kinds; those who are employed in pure work, are of four kinds: 1st, a pupil, who yields obedience for the acquisition of science; 2d, an apprentice, for the acquisition of art; 3d, a hired servant, for wages; 4th, an agent or steward, employed in the superintendence of affairs.—"Vrihaspati. Cleaning the house, the gateway, the necessary, and the road, removing the dirt and rubbish, and all other impurities; attending the master at his pleasure, and rubbing his limbs, are to be considered as impure work; and all other work is pure." Such, therefore, are the offices of slaves, who are of fifteen sorts. "Nareda: One born of a female slave in the house of her master, one bought, one received by donation, one inherited by ancestors, one maintained in a famre, one pledged by a former master, one relieved from a great debt, one made captive in war, a slave won in a stake, one who has offered himself in this form, I am thine, an apostate from religious mendicity, a slave for a stipulated time. One maintained in con-

sideration

sideration of service, a slave for the sake of his bride, and one self-sold, are fifteen slaves declared by the law." Of these slaves, the four first can be emancipated only by the indulgence of their masters; and Nareda declares, "that low man who, being independent, sells himself, is the vilest of slaves, he also cannot be released from slavery." The second and third classes can be employed only in the duties of their profession, during a state of servitude; and forcible slavery by robbers is null in law. A slave who saves his master from imminent peril may claim his liberty; others are liberated on giving a pair of oxen, on relinquishing subsistence, on finding a substitute, and on liquidating the debt for which they became slaves. A female slave bearing a son to her master is emancipated; but a free woman marrying a slave is condemned to share his servitude. Slavery cannot exist in the inverse order of the classes; the performance of servile duties can only be exacted from persons of the fourth cast, under the penalty of an amercement proportioned to the degradation. "The man who treats as a slave the nurse of an infant child, or a free woman, or the wife of his dependant, incurs the first amercement; and he who attempts to sell an obedient female slave, though she resist the sale, and though he be not distressed, but able to subsist, shall pay a fine of two hundred pallas." Where no special agreement obviates the application of the law, the wages are fixed at a tenth part of the profit arising from commerce, cattle and grain, to the factor, husbandman, and servant, by whom the business was conducted. "Let the man who guides the ploughshare, to whom food and vesture are given, take a fifth; and let him who is supported by the profit alone, re-

ceive a third part of the grain produced." The wages of seamen are referred entirely to custom. Damage proceeding from the negligence or sloth of servants must be made good at their expence; interest on wages accrues six months after demand, and the master is also liable to the first amercement who withholds them. "Harlots have been considered by Chandefwara and others under the title of hire; wherefore," says the commentator, "they are also noticed in this work."—"Nareda:—a dancing girl, having received her pay, yet refusing to attend, shall pay twice as much as she received; and if her employer refuse to admit her, he shall forfeit what he had paid." Their persons are protected from violence or abuse; and "if a dispute should arise among the lascivious frequenters of her house, in respect of matters occurring there, the wife have declared, that it shall be determined by the principal harlot." With regard to the hire of houses, cattle, and chattels, the law only interferes to compel the execution of specific agreements, and reparation for such injury as the subjects might sustain during the occupancy of the hirer, not occasioned by the act of God or of the king.

Chap. 2. On the Non-performance of Agreements.—This relates to the mutual engagements contracted by members of the same corporation, whether they have associated for religious or civil purposes. The mild and tolerant spirit of the Hindu theology is perceptible in the enactments. Colleges of priests must be protected by the sovereign, and the rules of their society strictly enforced; but sectaries, of whatever denomination, are entitled to the same indulgence; and the rules prescribed to the members, by their voluntary act, at the period

of their institution, furnish the sovereign with the only instruction for deciding their differences. The text deserves insertion. "Nareda—let the king maintain the associations of irreligious men, of sectaries who detract from the authority of the Veda, of companies of artificers, traders, and soldiers, and of various tribes and the like, both in a place of difficult access, and in a frequented spot." Sectaries are defined to be those who admit the authority of the Veda no further than as a good institute: irreligious men are "those who do not even admit the authority of the Veda, such are dancers, followers of Buddha and the like." Even from such societies, "those especially should be punished who separate themselves from the association: they should undergo fear and terror, being avoided like diseased persons." With institutions so admirably adapted for permanence, can we wonder to find the people of India the same now as in the days of Alexander? Disobedience to the head of the corporation is punished by fine and expulsion, and, in trading societies, the stock and debts are shared at the periods fixed by the original contract.

Chap. 3. On the Rescission of Purchase and Sale.—Nareda declares—"The rule for delivery and receipt is held by the wife to be six-fold; by tale, weight, measure, work, beauty, and splendour." A purchase may be rescinded within the number of days allowed for the examination of different commodities, but the purchaser incurs a penalty, varying with the nature of the commodity. The discovery of concealed blemishes is a legal motive for rescission; but a commodity whose blemishes were known at the time of purchase, cannot subsequently be returned. The seller is obliged to compensate any injury the com-

modity may receive, whilst it remains in his possession, after sale. Non-delivery is punished by the penalty of interest, or, among those who trade to foreign countries, with the foreign profit, and rescission of sale, in case of forfeiture, of a tenth part of the value. Adulterating the current coin, selling by false weights, and disguising the nature of commodities to impose on the purchaser, are prohibited under a high penalty; and combinations to raise or forestall the markets incur the highest amercement. A singular regulation is here alluded to, for it appears that the king and his officers regulated universally the current market prices of all commodities, in a manner similar to our assize of bread. "Purchase or sale should be daily conducted according to the market prices, which are fixed by kings; the difference thereof is the legal profit of traders. Once in five nights, or at the close of every half month, or of every month, according to the nature of the commodities, let the king make a regulation for market prices, in the presence of those experienced men. Adding the incidental charges to the first cost of the commodity, let a price be fixed, which shall be equitable both for the buyer and the seller."

Chap. 4. On the Owners of Cattle and their Herdsmen.—The wages of a herdsmen are fixed at the rate of one cow's milk in ten; he is responsible for cattle lost by his negligence, and if any die of a natural death, the horns must be produced by him as exculpatory evidence. It is ordained by Menu, that "on all sides of a village or small town, let a space be left for common pasture, in breadth three calls of a large tuck, and thrice that space round a city or considerable town." The owner of cattle is obliged

obliged to compensate the damages sustained by their trespassing on inclosed fields; which is determined with a reference to the particular cattle and grain, in each case respectively. A herdsmen struck by lightning, or otherwise disabled from attending to his cattle, incurs no amercement; bulls consecrated to religious uses, are at liberty to range unrestrained, elephants and horses being for military service, their owner is not fined for their trespasses.

The fourth book comprehends the duties of man and wife.

Chap. 1. On the Duties of a Husband.—Women must never be suffered to remain unrestrained nor unprotected. "Their fathers protect them in childhood; their husbands protect them in youth; their sons protect them in age: a woman is never fit for independence." On failure of relations they must be protected by the king, since the intermixture of classes would ensue from their misconduct. "The father who gives not his daughter in marriage at due season, the husband who approaches not his wife in due season, and the son who gives not support to his mother, are criminal, and shall be punished according to the law." Yajnyawalkya enacts—"If there be no persons competent to give her in marriage, let the damsel herself choose a suitable bridegroom." The defects of the female character which require such perpetual restraint, are enumerated in various ancient texts.—"Fire is not satiated with wood, nor the ocean with rivers, nor death with all beings, nor woman with man." The venerable compiler remarks, that "these texts describing the wickedness of women, only imply that confidence should not be placed in them; and at times," he adds, "women are found most loyal

and constant as Savitri, and others." In fact the Puranas abound with instances of the most unshaken female fidelity, and of every feminine virtue. The nature of the restraint is specified. "The keeping women employed in the receipt and expenditure of wealth, in the preparation of food, in the superintendence of the household utensils, in purification, and in the care of the perpetual fire, is declared to be the mode of restraining women." If the first wife be virtuous, obedient, and of the same class, a second marriage cannot be contracted without her consent: the precedence of wives is in the order of the classes, if they be of the same class, the first wife, if her conduct be unexceptionable, retains the pre-eminence. In this chapter the Indian legislators make their amiable countrywomen ample amends for the unpoliteness of their former strictures. "When good women, united with husbands in expectation of progeny, eminently fortunate, and worthy of reverence, irradiate the houses of their lords, between them and goddesses of abundance there is no diversity whatever. The production of children, the nurture of them when produced, and the daily superintendence of domestic affairs, are peculiar to the wife. From the wife alone proceed offspring, good household management, solicitous attention, most exquisite caresses, and that heavenly beatitude which she obtains for the manes of ancestors, and for the husband himself. Somā (the moon) gave them fairness; a Gandarva endowed them with a charming voice; and the regent of fire, with universal purity; hence women are truly pure." The duties of an Indian wife, whose husband is present, are thus enumerated: "For every succeeding day let the wife clean the vessels, used at meals; let her sweep the dwelling-house and

gate, and, when clean, preserve it so, let her provide curds, rice, durva-grass, new leaves and blossoms, for oblations; let her reverently salute her husband's parents, and afterwards perform the necessary business of the household, let her eat nothing before the gods and guests are satisfied, nor before her husband has eaten, except drugs swallowed medicinally." During the absence of her husband, a woman should neither partake of public amusements, decorate her person, nor visit strangers: "if he leave her no support, let her subsist by spinning, and other blameless arts."

Chap. 8. On the Duties of a faithful Widow.—^sAngiras: That woman who, on the death of her husband, ascends the same burning pile with him, is exalted to heaven, as equal in virtue to Arundhati." We had hopes of deriving some information respecting the barbarous custom alluded to in the above verse, from the work now before us; but in this expectation we have been disappointed. It is recommended by Angiras, by every inducement of future felicity; the penalty denounced against non-compliance, by that sage, is as follows: "As long as a woman, in her successive transformations, shall decline burning herself, like a faithful wife, on the same fire with her deceased lord, so long shall she be not exempted from springing again to life, in the body of some female animal." Menu, the oldest legislator, makes no mention of such a custom; it may have been adopted before, or in consequence of the injunction of Angiras; but is it enjoined by the Veda? Should it prove to be so, it may fairly be inferred, that the Vedas, as they now exist, are subsequent to the æra of Menu. A text of the Rig Veda certainly alludes to the practice, as distinguish-

ed from suicide; but we suspect this, with various others quoted, are interpolations of Vyasa, the compiler, who unquestionably lived in an age when the voluntary sacrifice of widows was become prevalent. The mother of an infant child and a pregnant widow are excluded from this sacrifice; nor is the conduct of such as choose to survive censured by the sages, who prescribe, however, a strict course of austere observances during the remainder of their lives. Smṛiti—"A wife duly authorized by her spiritual parents, through a wish that male issue should be obtained, may go to her husband's brother, and he may approach her until a son be produced." When the end, however, is obtained, all future intercourse must cease; and it seems rather uncertain whether the permission be not confined to the servile class. Twice-married women and incontinent wives are classified according to the circumstances of their case; their children are degraded, themselves despicable and sinful. Fines are enacted for abandoning an unblemished girl, and forgiving a blemished damsel. The subject is thus concluded: "In whatever family the husband is contented with his wife, and the wife with her husband, in that house will fortune be assuredly permanent. Let mutual fidelity continue till death."

We have now concluded the first portion of the Hinda Digest, which delivers the law of contracts. In our next Register we propose to resume the consideration of this important publication, and to exhibit a copious exposition of the doctrine of successions, as enacted by the Indian legislators.

The plan adopted by the venerable compiler is, in the first place, to furnish a distinct definition of the title of law, which he proposes to treat. The ancient texts are then arranged

arranged in succession, so as to suggest the extension or modification, which the first undergoes, from those which succeed. Each text is followed by a grammatical and critical exposition, where such is requisite; to this is subjoined the glosses of various commentators; and, lastly, a reconciliation or explanation by the compiler himself, where the glosses appear at variance with the text, or with each other. In this part of his task, Jagannátha evinces an acute and discerning mind, habituated to strict logical deduction, and to the deliberate contemplation of abstract and practical points, whe-

ther occurring in the exercise of legislative functions, or in the daily administration of civil justice. The translation reflects the highest credit on the talents of Mr. Colebrooke; and his remarks, which are unfortunately too few, manifest a profound knowledge of the laws and literature of ancient India. The utility resulting from this comprehensive Digest, by unfolding the principles which guided the legislators in the important doctrine of contracts and successions, will be more justly appreciated at the termination of our analysis in the succeeding Register.

(To be continued.)

The Oriental Geography of Ebn Haukal, an Arabian Traveller of the 10th Century: Translated from a Manuscript in his own Possession, collated with one preserved in the Library of Eton College, by Sir WILLIAM OUSELEY, Knt., L. L. D.—4to. pp. 227. Price 1l. 7s. CADELL and DAVIES. 1800.

OF Abul Cossim Ebn Haukal, author of a geographical treatise, nothing is ascertained but the name. His country is unknown, but his work was composed in Arabic. his age, by a probable approximation, may be fixed a few years before the middle of the tenth century; and from a passage in Abulfida, it may be collected that he was a great traveller, and a very inaccurate writer. The plan of this author is, to exhibit a concise description of all the regions in which the Mahomedan religion is professed. "As for the Land of Blacks, in the West, and the Ethiopians, and such tribes, I make but slight mention of them in this book; because, naturally loving wisdom, ingenuity, religion, justice, regular government, how

could I notice such people as those, or exalt them, by inserting an account of their countries?" The work now translated is rendered from a Persian commentary (for it does not seem a version) of the original Arabic. The notes requisite for its elucidation have been reserved for a subsequent publication; "and so exactly," says the translator, "have I followed the orthography of my manuscript, that in many pages the same word will be spelt differently, and even erroneously." Amongst the *linguarum peritissimi* of a former age, we recollect none who have carried their veneration so far, as intentionally to preserve his mistakes, and perpetuate his or his copyist's errors, to the manifest inconvenience and prejudice of their readers.

readers. A minute criticism of such a work would contribute little to render our own amusing: we will therefore substitute a rapid survey of the countries, which, in the tenth century, composed the region of Ilam, from the Atlantic ocean to the source of the Oxus, this design will comprise the most curious particulars in the work of Ebn Haukal, together with the observations which suggest themselves from its perusal.

In the year 950, which we assume as the date of this work, Nafir Ledinilla still reigned over the greater part of Andalus (or Spain). His capital was Corduba (Cordova); and amongst the most flourishing cities of his empire, were classed Seville, Tolosa, and Tortosa, "where there is Bar (Barcelona), a town on the sea side." The northern part belonged to the Christians, as far as the land of Biscunes (Biscay), as likewise the territories of Jalicán (Galicia). "Gebel Tarik (Gibraltar), is a well-inhabited mountain, with villages and small towns on it. Toleula (Toledo), a magnificent city, with marble buildings, situated on the Nahiah, manifestly the Tajo."

Opposite to Gebel Tarik lay Tanja (Tangier), and from thence to the confines of Egypt extended the coast of Magreb (the West). Of the towns on this coast, Kiruan is the largest. "The tribes of Magreb all resided there; and it was the chief place until the decline of their government, when Abu Abdalla came forth and conquered them: since which time Abdalla dwelt at Kiruan until he built the town of Mahadia on the sea-coast, and removed to that place." This passage is extremely important; for it proves that the Kiruan of the Moslem writers is not the Cyrenarca of the ancients, as supposed by D'Herbelot, Rennell, and other

authors of reputation. The name of Kiruan seems to be derived, not from Cyrene, but from the ille Cyranis (now Kerkines), near which it is actually placed by M. D'Anville, whose distances seem sufficiently to correspond with those of our author, viz, two days journey from Kiruan to Mahadia, and twenty-nine stages to Tunis. In the new capital of Mahadia, Calim Bemriua ruled a dominion which embraced most of the Mediterranean coast to the west, and extended backwards to the city of Segelmefa. "This town is situated near the gold mines, between them and the Land of the Blacks, and the Land of Zucla." Zucla has been visited by Mr. Beaufoy, who describes the remains of magnificent structures in this interior part of Africa. "Tahauth is a large town, well inhabited and supplied: the inhabitants practise agriculture." D'Herbelot spells it Tahrat, and says there are two places of that name. The chief of these seems to us to correspond with Tagurt, in Piled-ul-gerid, and we find another city of that name in Fezzan.

Misra (Egypt) was still governed by an envoy from the Caliph; but Mothi Billa, who then enjoyed that dignity, was governed himself by Moaz-ed-Dowla, who raised him to the throne. Cairo was not yet built, and Fostat, where the viceroy resided, marked the site where Amruber-Ar, the conqueror of Egypt, had pitched his tents, in the vicinity of Memphis. "From Asuan (Syene), along the banks of the Nile as far as the sea, the country is all inhabited and cultivated.—On the walls (of the pyramids) are inscriptions written in the Greek language, and this writing is said to signify the building of Herman and Sertair was in the sign Cancer. In Herman is a cleft or excavation under the ground, supposed to have
been,

been, with some appearance of probability, the burial-place of the ancient sovereigns of this country." At Teneis (the ancient Pelusium, according to Major Rennell) were piles of dead bodies, supposed of great antiquity; Ebn Haukal had seen some of them in their winding sheets, with bones and skeletons of immense size.

Sham (Syria) is made by our author to extend from the frontiers of Egypt to Malatia, the capital of Lesser Armenia. "Tyre is a very strong town, situated on the sea-shore. It is the most ancient of all the cities on the coast, and all the Grecian philosophers came from this place. Damascus has ample territories among the mountains, and is well watered by streams which flow around. The land about it produces trees, and is well cultivated by husbandmen: there is not in all Syria a more delightful spot." Antiochia ranks next to Damascus in these particulars. Tarsus is a considerable town, full of expert housemen and valiant soldiers. "In the chief cities of Ilam, there are inns and public places appointed for the people of this town." Of the northern division of Syria, the chief town is Kenaferin; "but the governor's palace, the markets, great mosques, and public buildings, are at Haleb," (Aleppo). Aulas is said to be the boundary of Ilam, and lies west of Tarsus, Ayas (the ancient Issus and modern Avazzo) occasioned some perplexity from the various modes in which we find it spelt; sometimes confounded with the above Aulas, and at other times Anbas, Ainas, and Afas.

Gezira (Mesopotamia) extended between the Euphrates and Tygris to Tacrit on the latter river, which marked the limits of this province, and of Arabian Irac. "The division of this province into four diars or

districts, is not specified by Ebn Haukal, though three of them are named in his work. In his time, Nafbin (the ancient Nisibius) was still a considerable town, and enjoyed a perpetual verdure and salubrious waters. Mosul, which the Moslems regard as the Niniveh of the scriptures, was also a place of importance, and has not, like Nafbin, since fallen into decay. Antid, now named Diarbekir, from the district of which it is the capital, was defended by strong walls, and surrounded by trees and fertile fields. "Haditha is situated on the banks of the Dijla (Tygris) to the east; it has many corn-fields, trees, and gardens. The river Dijla runs by the skirts of Mount Barma, and on these hills there are springs or fountains that yield gold-dust and bitumen, and these mountains extend through Gezira towards the west, till they come to the borders of Kirman." Sir William Ouseley observes, that "it certainly should be towards the east." In this passage, the author has fallen into one mistake, and the translator into two. 1st, The town of Haditha and the bitumen fountains of Hit are situated on the Euphrates, not the Tygris; 2d, the word which Sir William has translated gold-dust, is nafi or naphtha; 3d, the mountains cannot run east through Gezira, Hit being on its eastern extremity: they, in fact, run west through Gezira, and terminate in Caranan, on the Mediterranean.

Irac Arabi (Babylonia), is from Tacrit to the shores of the Persian gulph. In the time of Ebn Haukal, the city of Bagdad was the residence of the Caliph M. it was comparatively new; the magnificence of Tacrit and the Caliphs had enlarged and beautified the capital of Ilam. The Bagdad was the resort of com-

and its district included the vale watered by the Abela, which the Moilems consider as one of the four terrestrial Edens. "Medain (Ctesiphon) is a little town at the distance of one stage from Bagdad. In former times it was a very considerable city, and a favourite dwelling-place of kings. The Arwan Kefri (palace of Chosroes Nushirvan) is situated there, built of stone and mortar. Chosroes had not any edifices greater than this." Babel was a small village in the 10th century; tradition ascribed its foundation to Zohac, the conqueror of Persia; and its splendour to the kings of Canaan, who were said to have dwelt in it. The ancient city of Hira declined from the erection of Cufa in its neighbourhood: and the latter experienced the same vicissitude, when the seat of Islam was transferred to Bagdad. Cadesfia is situated on the skirts of the desert, and marks the spot where the victory was achieved which overthrew the religion and empire of Persia. "From Cadesfia on the confines of Irac, until you come to Medina, there is not any running water." It is singular that, in Ebn Haukal's description of the regions of Islam, the country of Arabia should be wholly omitted. Some important geographical corrigenda are here suggested, respecting a branch of the Euphrates, which is said to water Kefr Ebn Hobira, Sura and Cufa, but the passage is obscure, indeed scarcely intelligible in the translation.

Khuzistan (Susiana) is limited on one side by the Tigris; the river Tab washes its eastern extremity. If the following assertion be true, it suggests another correction of our maps: "The streams of Khuzistan, from Ahwaz and Durac, and Shushter, and all that rise in this quarter, are collected together at Hyfn

Mahdi, and there, forming one great river, fall into the sea." Whether Sus, or Shushter, be the ancient Susa, seems still uncertain; a coffin was found at Sus, "and it is said the bones of Daniel the prophet (to whom be peace!) were in that coffin." On the other hand, an aqueduct for supplying the city of Shushter with water, seems to attest its former grandeur, tradition, indeed, ascribed it to Sapor; but it might be of much higher antiquity.

Pars (Persia Proper) in the year 950 was ruled by Roqn-ed-dowlah, a prince of the dynasty of Buides, whose capital was Shiraz, and who asserted his independence of the temporal power of the Caliph; which was still more essentially curtailed by his brother Moaz-ed-dowlah, who directed in Bagdad the declining empire of the Caliphate. "Isfakhar (Persepolis) is a city neither small nor great, more ancient than any city whatsoever of Pars. The extent of it is about one mile: and the sovereigns of Pars had their dwellings there, and Ardeshtir (Artaxerxes) resided in that place." The modern city of Shiraz already extended four miles in length, but was not surrounded by walls. "After that is Siraf, about as large as Shiraz. Here are many wealthy men, such as merchants, and others, who expend 80,000 dinars in the building of their houses. There are not any trees immediately about Siraf. There is a mountain on the east of the city; this affords fruits and water for the town. I myself saw at Siraf several persons who possessed 4,000,000 dinars, and there were some who had still more; and their clothes were like those of hired labourers. But the people of Cazerun and Besa," (thought by Major Rennell to be Palagarda, founded by Cyrus), "traffic on
more;

shore; and they derive their fortunes from this kind of commerce, they are persevering and patient in the acquisition of riches; and the men of Pars, wheresoever they go, are powerful and wealthy." In the days of our author, the religion of the Magi was still extremely prevalent in Pars; every district and town had a fire temple; "and there are not in any country of Islam so many Guebres as in the land of Pars, which has been their capital or chief residence." The nomadic tribes of Curds were formidable from their numbers and their courage. "This people amount," says our author, "to near 500,000 families," (we presume, within the province of Pars); "summer and winter they pass on the feeding or pasture lands. It is said that their race is originally Arabian." The distance between Shiraz and Siraf is called in one passage 5, and in another 60 farsang; the latter must be the distance intended.

Carmania was about this time conquered by the Emir al Omra Moaz-ed-dowlah, it is represented as an unhealthy country, intersected by mountains which afforded a shelter to banditti, and surrounded on every side by sterile deserts. Of these mountains which extended into the neighbouring province of Mecran (Gedrosia), the Afghan tribes of Cutch and Baluch had already taken possession, who spoke a peculiar language, and in their barbarous manners and predatory habits resembled the tribes of the Arabian deserts. Of this province the capital is called Kir, but we presume it should be Kiz. "It is as large as Multan, and has a good harbour; it has many date trees." These districts are very imperfectly known at present. The territory called Sewee in our maps, is named by our author, "Nedeha; the chief town of this district is

Candabil, a place of much commerce. The men of this town resemble those of the desert; they have houses constructed of reeds, along the banks of the river Mahran, as far as the borders of Multan, and to the sea side. Turan is a little district, with many small villages and hamlets belonging to it. Ahmed ben Mamer possesses them, and the Kootba is read in the Caliph's name. The town in which he resides is a considerable place, well supplied with provisions, and abounding in fruits, it is never subject to cold weather." The town here alluded to is named by our author Kefdan, whether this be the Kozdar or Chatzan of Major Rennell, we cannot take upon us to affirm; in either case, the distance of five farsang between it and Candabil, as stated by Ebn Haukal, implies either a great inaccuracy on the part of that writer, or a notable defect in our geographical information.

Armenia, Aran and Azerbaijan (Media), are classed together by our author, they comprehended generally the countries between the Euxine and Caspian seas. Of Azerbaijan the principal city was Ardebil, a pleasant and plentiful place, with extensive suburbs. Of Aran, Berda is the capital, "a populous and flourishing city, with cultivated lands and much fruit. After Rai and Isfahan, there is not in Irac or Khorasan, a city more large, more beautiful or pleasant than Burda; for one day's journey the whole country is laid out in gardens and orchards." Burda is situated near Kur (Cyrus) "Derbend is a city built on the shore of the sea, on two banks of a bay, with two walls constructed so as to render the navigation of ships more convenient and safe. and a chain is drawn across the entrance, that ships may not enter or sail out without permission. It is larger than Ardebil, with many

many fields and meadows, and cultivated lands. It is said that a mountain, which is close to Derbend, contains above seventy different tribes, who have each a peculiar dialect, and understand not one the language of another." Armenia comprehended the greatest part of the ancient Parthia; and its capital, which is said to be larger than Ardebil, is called by our author Dinal. "There are great numbers of Christians and Jews here; and the churches are interspersed among the mosques. Here they manufacture fine hangings and carpets, and make the beautiful colour called kermes. I have heard that this kermes is a certain worm." On this passage Sir William Ouseley remarks, that "the Persian dictionary informs us, that kermes is the name of a substance with which they tinge or dye; and that it is said to be an insect gathered from certain shrubs, and afterwards dried." We wonder it did not occur to the learned translator, that the insect here mentioned was the cochineal. It is found in many parts of the Levant, and other southern countries, on a species of oak called the *querqus ilicis*, and is therefore called *coccus ilicis* and *coccus arborum*. From its Arabic name of kermes, is derived the English word *crimson*, and the French *cramoisi*.

Irac Agemi, or the Persian Irac, formed a province of the newly erected empire of Buides. Hamodan (the ancient Ecbatana) was a considerable town in the tenth century; but Isfahan was the most flourishing of all the cities in this province. The whole is a hilly pastoral country, except from Hamodan to Rai and Com. Diiman and Taberistan stretched along the shores of the Caspian sea, from Astarabad to the banks of the Araxes. The former province had thrown the yoke of the Caliph, and its

sovereign resided in Rudbar; but it was soon afterwards reduced by the Buides, who reigned in Shiraz. The flourishing cities of Rai and Cazin were included in this division. "After Bagdad, there is not in the eastern regions any city more flourishing than Rai; here they cultivate the land, and practise husbandry, and traffic for gold and dremes. The people of this place are hospitable and polite. Here they manufacture fine linen, cotton and camelots, which are sent to all parts of the world." We must here remark, however, that the word *kirpasi*, which Sir William sometimes translates *fine linen*, signifies muslins.

The Caspian sea is named the sea of Khozr, from a country of that name on its banks. The land of Khozi is manifestly a part of Georgia, for it extends northwards from Derbend to the kingdom of Atl, situated on both sides of the river Atl or Wolga. The people of Khozr were Christians in the tenth century; these also, and Moslems, formed the majority of the inhabitants of Atl; but the king of this country was a Jew. We have frequently been struck with a curious coincidence, of which the late ingenious M. Bailly would not have failed to avail himself, had the fact reached his knowledge. That great philosopher, it is well known, sought for the celebrated Atlantic island in the northern hemisphere; now Atl is the Asiatic name for the river Wolga; and Atlanta signifies, in the Sanscrit language, the extremity of the Wolga. The word Atl, in that language, means bottomless.—Whether this name be applied to that river from its great depth, we leave others to determine: nor have we been able to ascertain whether the Wolga or the Cama bears the appellation of Atl, previously to their junction: if the latter, At-

Ianta will be removed to no great distance from the site conjectured by the ingenious speculatist. The capital of Ebn Haukal's kingdom of Atl, is manifestly Afracan.

Sifan (Saranga) was at this time a province of the Samanian empire: the principal river which washes this fertile district is called Hermend, by our author, the European geographers term it Hindmend. "Between Carman and Sifan, there are some considerable buildings, the remains, it is said, of the ancient city called Ram Sheheristan; and they say the river of Sifan runs through this place. The city of Zerenj (Satomga) was built by men originally of Ram Sheher." This passage deserves the consideration of geographers; but when Ebn Haukal tells us that Hulvan, Hamodan, and Rai, are all the same distance from the town of Sava, and that Rokhaj is situated on the road between Bost and Ghazna, we are apt to receive, *cum grano salis*, all his statements of particular distances.

Khorasan (Aria) was also a province of the Samanian empire at that time the capital was Nisapür. "It is situated on a level ground, and extends one farsang in every direction. This city is watered by a subterraneous stream, which is conveyed to the fields and gardens, and falls into cisterns and reservoirs without the town. In all the provinces of Khorasan, there is not any city larger than Nisapür, nor any blessed with a more pure ~~or temperate~~ air. Here they make garments of silk and fine linen, which are in such esteem that they send them to all quarters." Meru and Herat were also towns of great antiquity, population and fame. Balkh, the ancient Bactria, and capital of Lohorasp, was still a large and flourishing city.

Maveralneh (Transoxania) extends from the northern banks of the Jihun (Oxus) to the river of Chaj (Jaxartes.) The former river has its source near Badakhshan, amongst mountains celebrated for the production of valuable rubies, and, after being joined by innumerable streams, marks the confines of Transoxania and Bactria, and disembogues itself into the sea of Khwarezm, (the lake of Aral.) The country of that name includes both sides of the river, and the southern banks of the lake. The Ghiz, a tribe of Tartars, were scattered over the sterile plains which skirt the Aral on the north. But the vale watered by the Soghd is celebrated for its fertility and beauty by writers of all descriptions. Ebn Haukal, who had visited it in person, gives it the preference to all the countries he has described; and if we may credit his testimony, the probity, the hospitality, and the courage of its inhabitants, were as conspicuous as the delightfulness of their abode. Bokhara and Samarcand, two cities of great antiquity and splendour, were situated on the banks of the Soghd, and in the centre of the valley; villas and orchards, woods and streams, occupied and adorned the whole of the valley. "The walls and buildings, and cultivated plains of Bokhara, extend above 12 farsang by 12 farsang," (the farsang is 4 miles), "and the Soghd, for 12 days journey, is all a delightful country, affording fine prospects, and full of gardens, and orchards, and villages, corn-fields and villas, and running streams, reservoirs, and fountains, both on the right hand and on the left."

"In all Maveralneh, or Khorasan, there is not any place more populous and flourishing than Bokhara. The river of Soghd runs through it, and

and passes on to the mills and meadows. On this river are situated near two thousand villas and gardens." In this city, Nuhben Naser Samani reigned in the middle of the tenth century, his dominion extended over Maveralnehr, Khorasan, Khwarezm, and Sistan, but his reign was turbulent, and disturbed by various insurrections. Samarcand was frequently the capital of Maveralnehr; "it is situated on the southern side of the river of Soghd. There is running water through the streets and bazars of Samarcand. The city is surrounded by a deep ditch, and a dyke, by which water is conveyed. The most flourishing and populous quarter is that where there is the fountain Arziz, and the shops of the bazar in this place are very numerous; for many legacies and gifts have been appropriated to the buildings about this fountain, which are in the charge of Guebers, or fire-worshippers, who watch winter and summer. The government palace is in the castle, and the citadel is near the river of Soghd, and the walls of these fortifications are about two farsang in extent. There are many villas and orchards, and very few of the palaces are without gardens; so that if a person should go to the castle, and look around, he would find that the villas and palaces were covered as it were with trees; and even the streets and shops, and banks of the streams, are all planted with trees.

We have now completed our design, of laying before our readers a concise review of the empire of Islam in the middle of the tenth century; and have conducted our readers from the streights of Gibraltar to the confines of Tartary. A few cursory remarks remain to complete our task.

The author of this work says, "I saw a gate at Samarcand, of which

the front was covered with iron; and there was written on it, in the Hameri language (a dialect of the Arabic), that "Senaa is distant from Samarcand a thousand farsang;" and the people preserved the explanation of this writing in hereditary tradition. After that I had been at Samarcand, a tumult or insurrection happened, and this gate was burnt, and the inscription mislaid or destroyed. Afterwards Abu Mozafer Mohamed, ben Nasir, ben Ahmed, ben Ased, caused the gate to be again constructed of iron, but the writing was lost."

From this passage the best conjecture may be drawn respecting the age of Ebn Hankal; for Nasir, the father of Abu Mozafer, died in the year 890, and, allowing 60 years more for the life of his son, it is evident that our author's visit to Samarcand must have been anterior to the year 920. We at first hesitated to admit Sir William's date, from observing that the Samanian dynasty is spoken of as extinguished in various passages: "They resided in Bokhara; Maveralnehr was under their jurisdiction:" But the preterite tense, we conclude, is here used by the Persian commentator, whilst Ebn Haukal probably spoke in the present.

All the Persian historians agree, that the city of Samarcand received its name from an Arabian prince named Samar, who conquered Transoxania. To ascertain this fact, is both curious and important in an historical point of view. The testimony of Ebn Haukal to the inscription and tradition, in a great measure confirms the reality of an Arabian invasion. In the Appendix, Sir William Ouseley has inserted an extract from the Tarikh Tabari, which relates the stratagem adopted by Samar to get possession of the place; and mentions the change of name

name to Samar-cand, which signifies, in the Tartar language, the city of Samar, before this event, says Tabari, it was called Chin, and inhabited by Chinese. The date of this conquest is assigned by Sir William, on the same authority, to the beginning of the 6th century, or more accurately to the year 520; this being the year when Cobad, the king of Persia, was defeated and put to death by Samar, who is said, by Tabari, to be the nephew of the Taba, or king of Arabia Felix.

The whole of the circumstances related by Tabari relative to this Arabian conquest, are, in our apprehension, inconsistent with fact and probability; and the expedition of Samar must have happened, if it happened at all, at least 600 years before the period assigned by that historian. As the fact is of some historical importance, we will submit the grounds on which our opinion is founded. 1st, Although the period is not an obscure one, no historian, Persian or Greek, that we are acquainted with, mentions the defeat and death of Cobad by an Arabian army; nor does it appear that his son, the Chosroes Nushirvan, had those invaders to expel on his accession to the throne. 2d, Khondemir relates that Samar, a very powerful monarch of Arabia Felix, pushed his conquests in the East as far as the vale of Soghd; that he destroyed the cities of that quarter, but built a new one, in a situation which pleased him, and which was called from him Samarcand. The same author mentions in his geographical treatise, that this event happened in the time of the kings of Tuais, or of Alexander's successors. Hamzeh ben Hussain Isfahani states, that he had ascertained from a history of the kings of Yemen, that Amru ben Toba, the 8th in succession from Samar, was contemporary with Shapor, son of Ardesheer Babegan,

which brings us to the year 240, and corresponds with the æra of Khondemir, by placing the reign of Samar in the time of Alexander's successors. We therefore think ourselves warranted in placing the expedition of Samar after the expulsion of the Greeks, and before any powerful empire had risen on its ruins. 3d, It is historically certain, that the dynasty of Tobas was extinct, and the kingdom of Arabia Felix became a province of Abyssinia, before the beginning of the 6th century; for the Emperor Justin applied, in 522, to the king of Abyssinia, to put a stop to the outrages committed against the Christians by Phineas the Jew, who ruled in Najira. In conformity to this application, that prince sent orders to Abraha, the Abyssinian governor of Yemen, who attacked and expelled the Jews of Najira, and Phineas, whom Khondemir calls Duncas. This transaction rests on the most irrefragable basis, being related by the historians of the Greek, Abyssinian and Persian empires.

The translator speaks of mines of sal-ammoniac and of brasi, which are found in Fergana; but it is well known that these are artificial preparations, and never found in a native state. The first was formerly imported from Egypt, where it is procured by sublimation from soot produced by burning the dung of camels; the latter is obtained by combining copper with about one-third of its weight of zinc. Mineral alkali and copper are, in all probability, the substances found in the mines of Fergana.

Notwithstanding the criticisms we have hazarded on this work, the execution, on the whole, does great credit to Sir William Ouseley; and we have no doubt that the Public will impatiently expect the notes and elucidations he has collected with such laborious research. With

all its inaccuracies, the Geography of Ebn Haukal will prove materially useful to future geographers; and had not his *love of wisdom, religion, &c.* induced him to omit

a description of the interior of Africa, and eastern parts of Asia, his work might have proved still more interesting.

The Oriental Collections; consisting of Original Essays and Dissertations, Translations, and Miscellaneous Papers, illustrating the History and Antiquities, the Arts, Sciences, and Literature of Asia. Vol. III. Numbers 1st and 2d —4to. pp. 303, DEBRETT, 1800.

We shall advert to the contents of these numbers in the order they occur in the publication before us.

“The Oriental Emigration of the Hibernian Druids proved from their Knowledge in Astronomy, collated with that of the Indians and Chaldeans, from Fragments of Irish Manuscripts. By Lieutenant General VALANCY, L. L. D. F. R. S. M. R. I. A. &c. continued from Vol. II No. 4, p. 347.” As the first parts of this learned disquisition were before the public some time previous to the period at which our work commenced, it would be inconsistent with our plan to recur to them; and it were uncandid to deliver an opinion of the merits of the whole, from the partial view afforded by the portion contained in this number of the Oriental Collections. We collect from one passage, that the object of the writer is to adduce proofs in confirmation of the hypothesis thus stated by Mr. Maurice: “The sum, therefore, of my remarks is, that the great outline of the Brahman creed of faith, consisting of an heterogeneous mixture of the principles of true and false religion, were formed in the school of Chaldaea before they left Shinar: that they were divided into many sects, bearing the name of Brahma, Vishnu, Siva, and Duddha; and that Ti-

bet, the highest and most northern region of India, was peopled with Brahmans of the sect of the last mentioned holy personage, who appears from indubitable evidence to be the Mercury of the West: that these priests spread themselves through the Northern regions of Asia, even to Siberia itself; and, gradually mingling with the great body of the Celtic tribes, who pursued their journey to the extremity of Europe, finally established the Druid, that is, Brahman system of superstition in ancient Britain.—“This,” adds the author, “I contend, was the first oriental colony settled in these islands.”—The astronomical knowledge of the Indians, Chaldeans and Irish, is not treated of in this portion of the essay: in the room of it, there is substituted a great variety of words extracted from different oriental languages, and which bear, in General Valancy’s opinion! some analogy to Irish words of a similar, or not very remote signification!

“Description of the Garden of Irum—translated from the Tohfeet ul Mujalis, by Jonathan Scott, Esq.” Oriental fable relates, that Shedad, king of Yemen, (whose capital, however, was Damascus) determined to prepare a garden which should surpass Paradise in beauty: the trees were of gold and

and silver; the earth strewed with
moss and amber; and the most
beautiful slaves wandered through
the avenues. Shedad hastened to
enjoy the delightful scene, when
the angel of death arrested his pro-
gress, as he entered the gate of this
terrestrial elysium.

"Sufferit Roll."—This appears
without a transition. But the li-
ter may possibly be contained in a
preceding number, of which the
piece is a continuation.

"Introduction to the Masnavi
of Gelaled'din Rumi."—This paper
merely supplies the original Persian
of the beautiful commencement of
Gelaled'din's poem, elegantly trans-
lated by Sir William Jones, in the
Asiatic Researches.

"Catalogue of the Arabic, Per-
sian and Turkish Manuscripts, pre-
served in the British Museum; by
William Ouseley, Esq. continued
from Vol. II." This catalogue
may prove extremely useful to
oriental scholars. It is to be la-
mented that the plan of a periodical
publication scarcely admitted of its
being inserted entire, in one num-
ber.

"Mots d'ancien Egyptien qui
se trouvent inscrits sur une Antique
de Bronze de la Collection du Rev.
Thomas Coxe, et dont l'empreinte,
se voit Oriental Collections, Tom.
I. No. 4, p. 324. Expliqué par
M. l'Abbé Caperan. Continued
from Vol. II. p. 418."—This pa-
per is learned, ingenious, and fanci-
ful. But we do not presume to
hazard any observations upon it,
for the reason assigned in treating
of General Vallancy's disquisition,
viz. an apprehension of representing
what, without perusing the whole,
it were impossible completely to un-
derstand.

"Explanation of a Passage in
Hafiz, by William Ouseley, Esq."
An allusion of the poet to a love-

tales of Beizun, or Persian hero, con-
fined by Afrasiab, king of the Tartars,
and released by Rustum, together
with the fair Manizeh, daughter of
that monarch, of whom Beizun
was enamoured, is explained by the
aid of a Persian commentator.

"Chinese Dialogue, from a Ma-
nuscript of the late Dr. Hyde, of
Oxford, preserved in the British
Museum."—The Chinese is here
placed opposite to the Latin; the
three speakers have European
names, Hermes, John, and Mary.
We collect from it that, previously
to the dialogue, Hermes had break-
fasted, John had gone without his
breakfast, and that Mary was justly
offended at John's tardiness in re-
turning from school. *Vox et pre-
terea nihil.*

"An Account of an original
Asiatic Map of the World, by W.
Ouseley, Esq."—This map is here
exhibited from a manuscript in the
collection of Sir Robert Chambers,
and betrays the extreme want of
geographic knowledge in the per-
son who constructed it. It is ma-
nifestly of very modern date.

"Two Passages, from the Bosan
of Sadi: translated by George
Swinton, Esq."—The first contains
some mostly admonitions to princes;
the second relates to an anecdote of
Sultaun Togrul, who, perceiving an
Indian sentinel shivering in the
open air during an extreme cold
night, retired with an intention of
sending him his pelisse; but, meet-
ing with a favourite slave in the wo-
men's apartments, totally forgot
his promise, and thus aggravated
the poor sentinel's misery by dis-
appointment. This incident fur-
nishes the poet with many moral
reflections.

"Alphabet of Corea, extracted
from a Japanese book, and explain-
ed by Dr. Hager of Vienna."—
"Chao-sien in Chinese, and Tjo-
sin

sin in Japanese, is a peninsula to the east of China, and to the west of Japan, better known in Europe under the name of Corea." The Japanese work from which this alphabet is extracted, is in the possession of Mr. Tittsingh, "the last Dutch ambassador to the Court of Pe-king, who twice visited Japan from Batavia, and brought this book, with other Japanese works, from Jeddo, the capital of that kingdom, where it was presented to him by the author himself, called Katsiragwa Hozuw, one of the physicians to the present Emperor of Japan." Dr. Hager informs us, that the alphabet of Corea, "is syllabic, like the Siamese, the Birmanic, and other alphabets of Asia, or like the Axumitic and Amharic of Africa; the difference, however, is, that the same consonant has, through all the five vowels (which they use like the Europeans), a quite different figure. Thus *Fa* is totally different from *Fe*, *Fe* from *Fi*, *Ka* from *Ke*, *Ke* from *Ki*, &c.; which is not the case, for instance, in the Devanagari, or in the Habessinic alphabet, where the same letter is kept; and a small variation only shews the vowel annexed to be either *a*, or *e*, or *i*, &c." It is written perpendicularly, and from the right to the left, "and consists of 47 letters, or rather characters, for the letters themselves are but 14; nine consonants and five vowels; the same consonant being, as I have said, through all the five vowels, another character or figure." It would have been satisfactory to have stated, whether these explanations were derived from the inquiries made by Mr. Tittsingh when in Japan, or whether they are the conjectures of Dr. Hager. We presume this gentleman does not understand Japanese; and although his inferences from an in-

spection of the character are entitled to respect, they rest upon a very different foundation from positive information.

"A General Catalogue of Sanscrit Manuscripts," exhibits the names of the most common Sanscrit books, and the number of verses contained in each.

"A Persian Ode of Khakani, translated by Jonathan Scott, Esq;" and "a Persian Sonnet from the Dewan of Rafia'addeen, translated by W. Ouseley, Esq;" convey the literal meaning, without the beauty of these charming compositions.

"A Persian Ode, by Hafiz," and "a Persian Ode by Nemut Khan Ali," not translated.

Having now laid before our readers some account of the first number of the third volume of this interesting publication, we proceed to analyse the contents of the second.

General Vallancy's paper is in this number brought to a conclusion; this portion, like the former, is only occupied in etymological discussions, and we have sought in vain for that collation of astronomical knowledge, promised by the General in his title.

"Ode of Hafiz, translated by Jonathan Scott, Esq."—Although these translations convey to an English reader no adequate idea of the rapturous effusions of the poet of Shiraz, yet they must prove useful to the Persian student. Our observations must not be considered as any disparagement to the talents of the translators. These Odes are short, and polished in the highest degree; the beauty frequently consists in a felicity of expression which it were difficult to render in another language; and the glowing diction of the original becomes turgid or hyperbolic in the cold atmosphere of a prose version.

"Geographical Extracts, from the

the Persian Manuscript, intitled *Norhat al Coloub*, translated by Sir William Ouseley, Knt. LL. D."

— This paper contains the route from Sarkhes, by way of Balkh, to the river Jihun, the boundary of Iran, it is a mere itinerary, mentioning only the distances

" Letter from the Rev. Dr. Hales to Sir William Ouseley, on Egyptian Chronology " This is by far the most curious paper in the collection, we regret that its recent publication precludes us from investigating the important hypothesis it suggests.

" In a precious, but obscure fragment of Mantho's Egyptiana, preserved by Josephus, in his *Geography* with Apion, Dr. Hales finds it stated, " that in ancient times Egypt, in the reign of Amris, was invaded and subdued by a barbarous race, emigrating from the East, whom Manetho calls Shepherd Kings, who grievously oppressed the natives for 511 years, and were at length expelled by the Egyptian princes Milphiagnutheri and his son Thummosis, through the Desert to Palestine, where they built Jerusalem. Of this Shepherd dynasty, Manetho has given the reigns only of six kings, amounting to 260 years, leaving a chasm for the rest of 251 years, to complete the whole term of 511 years, affording a strong presumption that there were no more of this dynasty, and that the chasm is to be filled up by 26 years, the interval between their expulsion and the arrival of Jacob's family in Egypt, where they spent 215 years in bondage, and became the Hyksos of Manetho, who departed under the conduct of Moses (the Heliopolitan priest Ousaph of Manetho), thro' the Desert to Palestine, and built Jerusalem in reality; and from their bondage were called, in the vulgar Egyptian, *Hyksos*, 'Shepherd Captives.' Manetho himself, admitting the distinction of the two Shepherd races, whom he has inadvertently, or designedly confounded, the expulsion of the one, and the exode of the other, being to the same quarter, the Yksos settling along the sea-coast of Palestine, (or, in Sanicrit, Palestine, 'Shepherd Land,') the Hyksos, in the land of Canaan, adjoining. Accordingly, ascertaining the date of the exode of the Israelites, B. C. 1619 (according to my

emendation), the whole period is thus filled up

I. <i>Yksos</i> , Shepherd Kings			
	Reign	B. C.	
1 Salatus,	- -	19	- 2160
2 Baion,	- -	44	- 2114
3 Apachnes,	- -	36	- 2077
4 Ahophis,	- -	61	- 2016
5 Janas,	- -	50	- 1969
6 Affis,	- -	49	- 1920

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II Egyptian Kings.

7. Thummosis, &c. and		
expulsion of Yksos,	36	- 1900
Arrival of the Hyksos,	215	- 1864

Their Exode - 511 - 1649

" And Wilford notices the invasion of Egypt in ancient times, from the Maha Calpa, which mentions the names of three of the Hindu princes, Tamo Vana, Bahya Vana (who is plainly the Bala of Manetho), and Rucma Vana, or Apachnes, which last being possessed of great wealth, raised three mountains, called Rucma-adri, Rajat-adri, and Retna-adri, or the mount of gold, of silver, and of gems, &c. the three great pyramids coated with yellow, white and spotted polished marbles. These pyramids were consecrated to Padma Devi (the goddess of the lotos, or white water lily), called Paramati, in her creative power, from the Hebrew *bara*, 'created': whence pyramid, (by the same analogy that Larcher derives the Egyptian high priests, 'Pieromoi,' from Brama, signifying Brahma)

We must remark, that the first etymology is erroneous; the goddess derives the name of Paramesi from *paramesi*, two Sanicrit words, signifying the chief goddess.

" The first pyramid, therefore, was begun about B. C. 2096. and as the preparing the stones in the Arabian quarries, building the bridge to transport them across the Nile, and erecting the pyramid, employed thirty-two years and six months, according to Herodotus, it was finished about B. C. 2063. The two other great pyramids were probably built during the long reigns of Apophes and Janas, the expulsion of the Yksos, about B. C. 1905. The Egyptian priests falsely ascribed the building of the two great pyramids to two Egyptian kings, Cheops and Cephrenes, from national vanity, or to conceal their slavery, they reigned

5 G

long

long after, about B. C. 1084, and B. C. 1724. But truer tradition, as Herodotus relates, always ascribed them to Philition, 'a shepherd,' who kept his cattle there. But Pali is 'a shepherd' in Sanscrit, and Palita 'a herdsman' in the modern language of Hindustan."

"Man and Woman of Jessō."

'This engraving is taken from the same Japanese work from which the Corea alphabet was extracted. It represents a woman suckling a young bear.—The Abbé Caperan's explanation of the Egyptian inscription, and the catalogue of Sanscrit manuscripts, are continued from the last number.

"Anecdotes of Arabian and Persian History, extracted from the ancient Chronicle of Al Tabari, and translated by Sir W. Ouseley, Knt. LL. D."—Tabari died in 922, and in 961 his work was translated into Persian. This writer is styled by Mr. Ockley "the Livy of the Arabians, the very parent of their history." From the chronicle of that writer, Sir William Ouseley has translated an "Account of the manner of Cobad's death." That prince had embraced the religious dogmas of the impostor Mazdak; "and, having devoted himself to a life of abstinence and piety, he shed not any blood; neither did he put any person to death, nor make war on any one." Harath, who governed a part of Syria, encouraged by the amnesty he had too easily obtained for his hostile conduct, instigated the Toba, or King of Arabia Felix, to invade Persia, by representing the unwarlike character of its sovereign.—These representations produced their desired effect.

"The Toba immediately assembled a considerable army, and set out, and arrived at the banks of the Euphrates: he could not, on account of the multiplicity of his troops, make Hira his halting place, he proceeded to the village named Nugef, one of the villages of Cufa, and

he caused a canal to be cut from the Euphrates to Hira. He halted at Nugef. The Toba had a nephew (the son of his brother), named Samer; him he sent, with 320,000 men, to make war on Cobad. But Cobad fled in confusion, and escaped to Ras. Samer pursued him, and took him at Ras, and put him to death, and wrote an account of this to the Toba."

The defeat and death of Cobad being connected with the conquest of Samarcand, as related by Tabari, we had occasion, in reviewing Ebn Haukal's geography, to express our suspicions of this passage. These suspicions are now fully confirmed by Sir William Ouseley, the translator, who observes, that the copy of Tabari, whence this passage is extracted, "differs not only from Mirkhond, Khondemir, and other Persian historians, in the relation of Cobad's death, but, in many respects, from the two other copies which I have consulted of the same work." As the reign of Cobad, and of his son Nushirwan, constitute an important period in Persian history, we refer our readers to our review of Ebn Haukal, where we have proved that the race of Toba was extinct before the era of Cobad's death, that the conquest of Samarcand took place much earlier; and that no Persian historian (Tabari excepted) mentions the defeat of Cobad by an Arabian army, and his being put to death by the conqueror. In addition to this we may observe, that Procopius and other Greek writers are equally hostile to the testimony of Tabari in this particular, and that John Malala has ascertained that Cobad, whom he terms Cabades, sickened the 8th, and died the 13th September, 581, after a reign of forty-three years and three months.

"Extracts from the Persian Romance, intitled Shah Nama Nefr, or the Book of Kings, in prose, translated by Sir William Ouseley."

The

The learned translator terms this work a prose abridgment of the great heroic poem of Ferdusi. This term is most assuredly incorrect; for so far from being an abridgment of Ferdusi, the author commences in direct contradiction to the poet, by asserting that "it is related by ancient historians, that the first whom the Almighty created was Caumeras, and to him was given the sovereign dominion of this world." We insert a literal translation of the passage of Ferdusi in support of our observations, from which it will appear that Ferdusi does not consider Caumeras as the first man, but as the first king.

3d verse. Who first assumed the crown of empire? The event is far removed from memory:

4th. Unless by tradition from father to son, by which means it has been transmitted to us

5th. Who first introduced the word dominion? Whence sprang inequality of condition?

6th. The assiduous explorer of past events, contained in Pehlevan records,

7th. Assures us that Caumeras was the first who assumed the crown and throne, and was a king.

8th. When the sun entered the sign Aries, the earth was adorned with a thousand beauties.

9th. Such was the genial heat he diffused, that the world appeared renovated

10th. Sing the earth wedded to a new lord! He first established himself in the mountains

11th. The rude cliffs first beheld the insignia of royalty. He clothed his followers in tygers' skins.

12th. Whence mankind are said to have derived raiment and food from his bounty

We may observe that Sir William Ouseley is only incorrect in stating the work to be an abridgment of Ferdusi; for the ancient Magi of Persia did consider Caumeras as the first man, though the tradition be rejected by the poet. On the other hand, the Moslems, who have taken very singular liber-

ties with the ancient records of the nations they conquered, in order to reconcile them with the patriarchal history, assert that the real name of Caumeras was Ghulshah, and that he was the son of Shem, a grandson of Noah.

Caumeras had a son named Siamic, who fell in an engagement with the Dives, his grandson, named Huiheng, avenged the death of his father, and succeeded to the throne of Persia, on the death of Caumeras.

The reign of HUSHENG, the son of SIAMUC, (forty years.)

"Thus it is related, that after Caumeras, his grandson Huiheng sat in his place on the royal throne, and placed the imperial diadem on his head, saying, 'my dominion is spread forth over the seven regions of the universe, and every place acknowledges my sovereignty.' In the forty years of his reign Huiheng devised many excellent institutions, and the world flourished under his upright and liberal sway. He was the first who discovered precious stones, and struck fire from the hard flint. he introduced the art of working metals, and invented the saw and axe. he formed canals of water, and instructed men in the tilling of their fields and other arts of agriculture."

His reign lasted forty years. Huiheng was succeeded by his son Tamuras, named Divbund, from his constant wars and numerous victories over these gentes. His son Gemshid reigned 700 years. He divided the nation into four casts, similar in their occupations to the four great Hindu casts: the first were priests, the second warriors, the third husbandmen, and the fourth artificers. These probably continued till the doctrine of Zoroaster levelled all distinctions; as the religion of Buddha has obliterated the same distinctions in more eastern regions. The court of Gemshid far surpassed in magnificence what had hitherto appeared, but, after ruling the world with great reputa-

tion and wisdom for 500 years, he became, says this pious narrative, intoxicated with pride, "the Lord in his anger withdrew from him the celestial light, and having thus forfeited the Almighty's favour and protection, the soldiers and all the other Persians began to hold their sovereign in contempt, and at length drove him from the city. Thus suffering under the just anger of the Lord, king Gemshed wandered a solitary and miserable wretch through forests and mountains for an hundred years, not finding any where a place of rest."

This event also is very differently related by Ferdusi, who says, that when the pride of Gemshed had alienated the affections of his subjects, many persons of high rank retired into Arabia, where they investigated Zohac, the king of that country, to invade Persia,—that on the approach of Zohac with a powerful army, Gemshed, perceiving himself deserted by his soldiers, took flight, and was not seen again

till a hundred years had elapsed. This discrepancy affords a further proof that the Shah Nama Nefr is not an abridgment of Ferdusi's heroic poem.

"Extracts from the Description of Persia, by Raphael du Mans." We have perceived nothing that requires observation, nor claims insertion.

"Poems in the Turki dialect." These verses are not translated; the editor informs us, that they are the composition of Abdulaziz Khan, who reigned over Transoxania, and died in A. D. 1550. The language is above half Persian.

"Extracts from the Journal of an anonymous Traveller in the vicinity of Smyrna, preserved in the British Museum. Harl. MSS. No. 7021." In this, and the succeeding articles, which consist of Persian odes, unaccompanied with translations, we perceive nothing to which we find it necessary to call the attention of our readers.

SYMES'S Embassy to the Kingdom of Ava, and

TURNER'S Embassy to Tibet.

These interesting works having been already reviewed in all the monthly publications, we conceive it will be more satisfactory to the authors of them, as well as to the public, to reserve our account of them for our next Register, more especially as to full an analysis of their contents as is consistent with the nature of our plan, and as their own novelty and importance demand, would increase the present volume to a size much beyond that to which we have found it necessary to confine it. We shall therefore beg leave to call the attention of our readers, next year, to an ample review of those Embassies, interperled with such remarks and elucidations as the different subjects on which they treat may suggest and require.

* * A review of Colonel BEATSON'S Account of the late War in the Myfore, we must also postpone until next year,

ORIENTAL LITERATURE.

The following Works, relating to the HISTORY, POLITICS, COMMERCE
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About the same time, *The Tootinameh*, or *Tales of a Parrot*, in Persian and Eng-
lish, will be ready for publication. It will be printed in one volume Royal Octavo,
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RHETORIC, PROSODY, AND RHYME OF THE PERSIANS.

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This volume will be handsomely printed in the *Nisibis* character.

THE ORIENTAL MISCELLANY.

At the same time will be published, in one volume Royal Octavo, in the new *Talish* Type, *The Oriental Miscellany*, consisting of Original Productions and Translations on every subject of Eastern Literature, and forming a Collection of valuable Matter, calculated to diffuse a knowledge of the Asiatic Languages, and to afford general instruction and entertainment to the English Reader.

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These Drawings among other matter, describe, in singular and extraordinary representations, the various forms and appearances of Hindú Deities and Heroes, figures of the Astronomical and Divine Beings, or Geni, supposed to preside over the *Nachshatras*, or Mansions of the Lunar Constellations, the *Ras* or Signs of the Zodiac, and of the Nine great Luminaries of Hindú Mythology,—a series of Punishments, explanatory of the dreadful tortures suffered by the purifying soul in the regions of *Naraka*, the Hindú Tartarus, its progressive sojourn and passage through the several Hells, with the particular torments and renewed creations inflicted upon it by the *Naraka*, or the infernal ministers of *Dharma Rajah*, or *Yama*, the Indian Pluto, in his more horrid form; and the History of the *Avatars*, or territorial descents of the incarnate *Vishnu*, more especially that of *Crishna*, the Shepherd God, or, according to the more popular superstition of the modern Hindús, *Narayana*, the Divine Spirit, and *Bhagavat*, the Universal Lord, whose life is more particularly the subject of this *Purana*, and of whom it may be suspected that the Artist was a professed worshipper, from the very descriptive and finished manner in which this part of the work is executed.

Every one of these Drawings, whether large or small, will constitute a separate Engraving, and will be struck off on a separate quarto page, so as to allow of the whole Collection being incorporated with any complete Translation of the *Bhagavat Purana* that may hereafter appear in Europe, or with any other recent Historical or Mythologic Work on these subjects, such as Mr. MAURICE's History of Hindustán, the Asiatic Researches, &c.

Gentlemen who may wish to encourage a work of this nature, and are desirous to secure early impressions of the Plates, are requested to leave their names, with

of stone, in streets, (or rather alleys); so very narrow that a palankeen has barely room to pass. Abundance of wealthy merchants are resident in this capital, or resort to it. These lanes or passages, for the security of their property, are closed every night, at both ends, with thick doors, plated with iron, and filled with nails, so that though the town be unfortified, it would prove a work of some difficulty to penetrate into its interior parts. From the upper stories of many opposite houses communications are made by small bridges.

Banars is the principal mart for diamonds on the eastern side of In-

dia. It possesses also a manufactory of gold and silver tissue, attas, silks and gazes, keemcaub, muslinoo, and guibuddan.

Like other places of fanatic or superstitious enthusiasm, it is notorious for unbridled gallantry and licentious intrigue.

From hence to Delhi, the women, above the vulgar class, are generally personable, many eminently beautiful, and few deformed. Neither France nor Italy can boast of courtesans more expertly skilled in the coiffetic art, or in decoying allurements to captivate, to influence, to fascinate, and to fleece their paramours.

ACCOUNT of LUCKNOW.

(FROM GLADWIN'S *Asiatic Miscellany*, never before published in this Country)

IT is customary among the Princes of Hindustan, to remove the seat of government (the residence of their predecessors) on their accession to the sovereignty. Thus Asaph-ud-Dowlah, the present Nabob or Oude (1785), quitted Fyzabad, a pleasant situation upon the banks of the Gograh, on the demise of his father Shajah Dowlah, and fixed his court at Lucknow, an irregular dirty town. Extending, however, along the south side of a small river, called from its serpentine course the Gomtee, or Meander, and decorated by a number of gardens lately laid out on its environs, the place is become somewhat less disagreeable.

The palace of the Nabob Vizier lies towards the eastward of the town, on the river side, and fronting it. It consists of six principal courts.

1. Is an area called Putch Mhullah, for his equipage and at-

tendants. The entrance to this area is through two lofty gateways. Over the first is a room called Nobit, Konnah, or orchestra for martial music, which plays morning and evening.

2. State apartments, encompassing a square garden, together with an external enclosure for smaller rooms, constitute the second court, called Bowly, from a large well within it, which includes a staircase and smaller recesses, with openings in the well from top to bottom. These rooms are calculated for cool retirement during the solstitial months, the apertures through the wall of the well, and the dripping of the waters, renders the air quite refreshing.

At the corner opposite the Bowly is an arcaded chamber with a piazza, for sleeping in during the summer heats.

The dimensions of it are about fourteen feet square, with a boarded

floor. *Perdahs* (falling curtains) of *kush-kush*, or *jowaffih* (species of sweet-scented grass) interwoven fill up the arcades. All round the piazza are fountains, filling into a carved marble basin or trough, from whence servants continually sprinkle the *perdahs*. The hot winds blowing on the *perdahs* perfectly allays the heat, and sometimes, when violent, renders the cold almost intolerable.

Parallel to the second court, and at the eastward of it, is a handsome edifice, raised on an arched terrace, entirely of stone. This fabric, called *Sungee Dalaun*, comprises a grand hall, surrounded with a double arcade, crowned with four cupolas at the corners, and one at the principal front, covered with copper doubly gilt. At the extremities of the terrace are two wings, for morning and evening resort. From both fronts extends a long flower-garden, divided into *patterres* by walks and fountains. Along the side walls runs a corridor, forming one continued arbour of vines, which shades its whole roof. Into this garden are four entrances; one on the north side, through a covered passage, for the process of the ladies; two others through spacious gateways on the east and west; and a fourth from the south, under another stone building, surmounted also by gilt domes. Within the precinct of the gardens is also a small mosque, with gilt minars, commodious offices, and fittings for ladies exercise.

4. To the north of the *Sungee Dalaun* is another garden court, containing public offices, erected by *Shujah Dowlah*, called *Mutehee Bowan*, remarkable for nothing further than being the first structure of the *Sabahs* at Lucknow, for the rest of this palace was built by the present *Nabob*.

5. In a line with the *Matchee Bowan*, and to the west of it, lies the *zenana*. Three heavy piles of unsightly houses, called *Sheefh-Mehul*, *Khord-Mehul*, and *Rung-Mehul* (or generally *Mehul-Seray*), the walls whereof being high, with few windows, and those small and latticed, nothing of course can be discerned within them.

From exterior appearance, however, this *haram* seems fashioned like others of the country, which are, in general, oblong gardens, with fountains, whereof a kind of summer-house forms the centre. At each end is usually a hall, with four smaller upper apartments, and as many on the ground-floor; the whole fronted with arcades, and *seah-bauns*, or cloths stretched out from the top of the arcades, and supported by poles, in order to shade off the glare of light and heat. Along the side-walls within, are offices for female domestics, and without, and at the gates, rooms for guards and eunuchs. If the women are numerous, several *zenanas* are added of the like form. The ladies of family or distinction, or who are favourites, have each their separate dwellings.

There being no windows on the outside, the *zenanas* become often so excessively close in the summer, as to threaten putrid disorders, to obviate which, the women are removed to tents in the country. When they travel, their conveyance is in covered seats on elephants, or in covered *palanquins*.

6. Separated from the palace, by the street only, to the eastward is a flower-garden, called *Hoffein Baug*, bordering on the river; and enclosed with a brick-wall covered with vines. In its front stands three stone bastions, the two corner ones supporting, on arches, two oval-fluted cupolas, covered with copper,

copper, gilt. On the centre bastion stands an octagon summer-house, with a flat roof, within the garden are parterres, fountains, baths, and dressing-rooms.

Before all the gateways of the palace and zenanas, are screens, or small walls, which conceal the entrances.

From mere inspection of the public buildings in Hindustân (Moorish as well as Hindû), the rudiments of the Grecian orders are instantly discernible in them. Colonnades, arcades, pillars, pilasters, pedestals, fillets, cornices, atriages, and entablatures (particularly the foliage of the Corinthian capital), were in use before the inhabitants of Greece had dwellings, probably preferable to huts. Although not disposed with the symmetry of European exactness, still are their parts regularly proportioned enough, to be fairly pronounced the models of Grecian architecture.

On the summit of almost all the roofs of the palace (particularly of the zenanas) are bred flocks of pigeons, to the number of about an hundred in each flock. They are selected for the beauty of their plumage, and those of similar colour (such as white with black heads, black with white tails, all brown, all mottled, &c. &c.) are kept together. Boys are employed to feed and teach them variety of flights. When on the wing they keep in a cluster; and, at a whistle, fly either away, ascend, descend, or return home according to the signal. When turning suddenly, and darting towards the sun, the gleam of their variegated necks appears exceedingly beautiful; and when together on the ground, no carpet can surpass the elegance of their colours.

During the whole day and night, elephants, camels, and horses, all

accounted, with palankeens, guards, and all sorts of attendants ready attired, remain in constant waiting before the gates of the palace. Boats are always in the same readiness too at the water side.

The rising of the Nabob seldom exceeds the dawn of day. Immediately does he repair to the fields, or to one of his gardens near the city. Servants, with all kinds of guns, horses, dogs, hawks, and nets, attend him. His women and pigeons often too accompany him. About eleven o'clock he returns to Lucknow, dispatches what little affairs he can be prevailed on to transact (for though a man of knowledge, yet, habituated to dissipation, his aversion from business is become inveterate), dines, and then goes to sleep. After a repose of two or three hours, he again resorts to the country, remains there till dusk, comes home again, sups, and retires to his zenana for the night. Being corpulent, he seldom rides on horseback. His usual conveyance, if cool, is an elephant; if hot, a palankeen. In an evening he is said to divert himself in his zenana, with dancing women, and with other Asiatic amusements, as well as with wine. But these entertainments being exhibited within the coverture of high walls, where no persons are admitted but of his own selection, his species of pleasure can scarcely be ascertained.

At times he passes an hour or two in shooting at marks, with pieces of various invention, and with arrows, or with engagements of elephants, wild buffaloes, rams, antelopes, or quails. But his darling pastime seems to be cock-fighting, wherein he displays as much skill and dexterity as the most knowing heeler of a pit. In the intervals of the mains he games with dice.

Once or twice a year, at the best seasons for hunting, he rambles to the northern mountains, where are plenty of wild elephants, rhinoceros, buffaloes, hyænas, tigers, leopards, and deer of several kinds, to yield him as much sport as he chooses.

There are few sovereigns whose retinue and equipage are, probably, more sumptuous. Besides a numerous train of elephants, camels, draught cattle of various species, the Nabob of Oude possesses a stud of above one thousand horses, five hundred of which are, perhaps, paragons of their kind. On processional festivals, one hundred of them are frequently seen together, magnificently caparisoned, and his elephants, palankeens, and carriages, resplendent with cloth of gold and embroidery.

Contiguous to the palace, there is a museum called the Inah Konnah, an aviary, a menagerie, and an armoury, all worthy of observation.

And the first not more so for its elegant pieces of mechanism, paintings, and other articles by celebrated artists, than for its ridiculous assemblage of finery and tawdry jumbled together. An uncommon collection of birds, among which is the flamingo, renders the aviary an hour's agreeable inspection. Nor does the menagerie less satisfy curiosity. Besides a lioness, tigers, leopards, panthers, hyænas, bears, wolves, and a sea-goose, it contains some goorkurs (or wild-bears of the mountains), uncommonly hardy and fleet, resembling the zebra, except in their colour, which is dun. African sheep, Barbary goats, like small deer, several species of extraordinary dimensions, and one animal, not yet described, called a cherruk, in colour like the hyæna, though

smaller, and exceedingly fierce and voracious, particularly of the flesh of dogs and asses. But beyond every thing curious and excellent in the Nabob's possession, are his arms and armour. The former consist of matchlocks, fuzes, rifles, fowling-pieces, pistols, sabres, scymetars, spears, spears (long straight swords), daggers, poignards, damasked, or highly polished, and ornamented in relief, or intaglio, with variety of figures or foliage of the most delicate patterns. Many of the figures are wrought in gold and silver, or in marquetry, with small gems. The hilts of the swords, &c. are agate, chrysolite, lapis-lazuli, chalcedony, blood-stone, and enamel, or of steel, inlaid with gold, called Tynashee, or Kosi-work.

The armour is of two kinds, either of helmets and plates of steel to secure the head, back, breast, and arms, or of steel net-work, put on like a shirt, to which is attached a netted hood of the same metal, to protect the head, neck, and face. Under the net-work are worn linen garments, quilted thick enough to resist a sword. On the crown of the helmets are stairs, or some other small device, with a sheath to receive a plume of feathers. The steel plates are handsomely decorated with gold, wreaths, and borders, and the net-work fancifully braided.

His Excellency's collection of Indian pictures is considerable, and preserved in large port-folios. From the common daubings of the present country painters, no adequate conception can be formed of these. Most of them are antique productions, and though the figures are generally small, yet is the drawing often correct, and the colouring admirable. In many, a story is completely told, with clearness and precision instantly discernible, the characters

characters accurately defined, and the passions naturally exhibited, and strongly marked. An exactness of outline in the representation of natural objects peculiar to the country, as well as of the attitude and carriage of animals, is happily delineated; and the foliage, foliage, and specimens of Asiatic writing, illuminating the pictures, are altogether excellent. In the design of

horses, however, in attitudes of human forms, and in perspective, the artists appear eminently defective. Nevertheless, on the whole, though widely different in manner from European masters, neither taste nor elegance are wanting to these compositions, and in the article of neat and delicate finishing, they are inimitable.

Major ALLAN's Account of his Interview with the Princes in the Palace of Serimapatam, and of finding the Body of the late Tippoo Sultaun.

(From BEATSON's View of the Origin and Conduct of the late War with Tippoo Sultaun.)

A SHORT time after the troops were in possession of the works, Major Beatson and I observed, from the South rampart, several persons assembled in the palace, many of whom, from their dress and appearance, we judged to be of distinction. I particularly remarked that one person prostrated himself before he sat down, from which circumstance I was led to conclude that Tippoo, with such of his officers as had escaped from the assault, had taken shelter in the palace.

Before any attempt could be made to secure the palace, where it was thought the enemy, in defence of the Serimapatam, would make a serious resistance, it became necessary to refresh the troops, who were greatly exhausted by the heat of the day, and the fatigue which they had already undergone. In the mean time Major Beatson and I hastened to apprise General Baird of the circumstances we had seen. On our way, we passed Major Craigie and Captain Whittle, with the grenadiers, and some battalion

As soon as we reached General Baird, we proposed to him to bring these troops to him, to which he assented. On my return, General Baird directed me to proceed to the palace with the detachment of the 10th, and part of Major Gibbings's battalion of sepoys: he directed me to inform the enemy that their lives should be spared, on condition of their immediate surrender, but that the least resistance would prove fatal to every person within the palace walls. Having fastened a white cloth on a serjeant's pike, I proceeded to the palace, where I found Major Shee and part of the 33d regiment drawn up opposite the gate: several of Tippoo's people were in a balcony, apparently in the greatest consternation. I informed them that I was deputed by the general who commanded the troops in the fort, to offer them their lives, provided they did not make resistance; of which I desired them to give immediate intimation to their Sultaun. In a short time after, the Killedar, another officer

servant, came over the terrace of the front building, and descended by an unfinished part of the wall. They were greatly embarrassed, and appeared inclined to create delays; probably with a view of effecting their escape, as soon as the darkness of the night should afford them an opportunity. I pointed out the danger of their situation, and the necessity of coming to an immediate determination, pledging myself for their protection, and proposing that they should allow me to go into the palace, that I might in person give these assurances to Tippoo. They were very averse to this proposal; but I positively insisted on returning with them. I desired Captain Scohey, who speaks the native language with great fluency, and Captain Hastings Frazer, to accompany me. We ascended by the broken wall, and lowered ourselves down on a terrace, where a large body of armed men were assembled. I explained to them that the flag which I held in my hand was a pledge of security, provided no resistance was made; and the stronger to impress them with this belief, I took off my sword, which I insisted upon their receiving. The Killedar and many others affirmed, that the Princes and the family of Tippoo were in the palace, but not the Sultan. They appeared greatly alarmed, and averse to coming to any decision. I told them that delay might be attended with fatal consequences; and that I could not answer for the conduct of our troops, by whom they were surrounded, and whose fury was with difficulty restrained. They then left me, and shortly after I observed people moving hastily backwards and forwards in the interior of the palace; and, as there were many hundreds of Tippoo's troops within the walls, I began to think our situation rather

critical. I was advised to take back my sword; but such an act, on my part, might, by exciting their distrust, have kindled a flame, which, in the present temper of the troops, might have been attended with the most dreadful consequences; probably the massacre of every soul within the palace walls. The people on the terrace begged me to hold the flag in a conspicuous position, in order to give confidence to those in the palace, and prevent our troops from forcing the gates. Growing impatient at these delays, I sent another message to the Princes, warning them of their critical situation, and that my time was limited. They answered they would receive me as soon as a carpet could be spared for the purpose, and soon after the Killedar came to conduct me.

I found two of the Princes seated on the carpet, surrounded by a great many attendants. They desired me to sit down, which I did, in front of them. The recollection of Moiza-Deen, whom, on a former occasion, I had seen delivered up with his brother, hostages to Marquis Cornwallis, the sad reverse of their fortunes, their fear, which, notwithstanding their struggles to conceal, was but too evident, excited the strongest emotions of compassion in my mind. I took Moiza-Deen (to whom the Killedar, &c. principally directed their attention) by the hand, and endeavoured, by every mode in my power, to remove his fears, and to persuade him that no violence should be offered to him or his brother, nor to any person in the palace. I then entreated him, as the only means to save his father's life, whose escape was impracticable, to inform me of the spot where he was concealed. Moiza-Deen, after some conversation apart with his attendants, assured

assured me that the Padshaw was not in the palace. I requested him to allow the gates to be opened. All were alarmed at this proposal; and the Princes were reluctant to take such a step, but by the authority of their father, to whom they desired to send. At length, however, having promised that I would post a guard of their own sepoy within, and a party of Europeans on the outside, and having given them the strongest assurances that no person should enter the palace but by my authority, and that I would return and remain with them until General Baird arrived, I convinced them of the necessity of compliance, and I was happy to observe that the Princes, as well as their attendants, seemed to rely with confidence on the assurances I had given them.

On opening the gate, I found General Baird and several officers, with a large body of troops assembled; I returned with Lieutenant-Colonel Close into the palace, for the purpose of bringing the Princes to the General. We had some difficulty in conquering the alarm and objections which they raised to quitting the palace, but they at length permitted us to conduct them to the gate. The indignation of General Baird was justly raised, by a report which had reached him soon after he had sent me to the palace, that Tippoo had inhumanly murdered all the Europeans who had fallen into his hands during the siege: this was heightened probably by a momentary recollection of his own sufferings, during more than three years imprisonment in that very place; he was, nevertheless, sensibly affected by the sight of the Princes; and his gallantry, on the assault, was not more conspicuous, than the moderation and humanity he displayed on this oc-

casion. He received the Princes with every mark of regard, repeatedly assured them that no violence or insult should be offered to them, and he gave them in charge to Lieutenant-Colonel Agnew and Captain Marriott, by whom they were conducted to head-quarters in camp, escorted by the light company of the 53d regiment. As they passed, the troops were ordered to pay them the compliment of presented arms.

General Baird now determined to search the most retired parts of the palace, in hope of finding Tippoo. He ordered the light company of the 74th regiment, followed by others, to enter the palace yard. Tippoo's troops were immediately disarmed, and we proceeded to make the search through many of the apartments. Having entreated the Killedar, if he had any regard for his own life, or that of his Sultaun, to inform us where he was concealed; he put his hands upon the hilt of my sword, and, in the most solemn manner, protested that the Sultaun was not in the palace, but that he had been wounded during the storm, and lay in a gateway on the north face of the fort, whither he offered to conduct us; and if it was found that he had deceived us, said, the General might inflict on him what punishment he pleased. General Baird, on hearing the report of the Killedar, proceeded to the gateway, which was covered with many hundreds of the slain. The number of the dead, and the darkness of the place, made it difficult to distinguish one person from another, and the scene was altogether shocking; but aware of the great political importance of ascertaining, beyond the possibility of doubt, the death of Tippoo, the bodies were ordered to be dragged out, and the Killedar and the other

two persons were desired to examine them one after another. This, however, appeared endless, and as it was now becoming dark, a light was procured, and I accompanied the Killedar into the gateway. During the search, we discovered a wounded person lying under the Sultaan's palankeen: this man was afterwards ascertained to be Rujah Cawn, one of Tippoo's most confidential servants; he had attended his master during the whole of the day, and, on being more acquainted with the object of our search, he pointed out the spot where the Sultaan had fallen. By a faint glimmering light it was difficult for the Killedar to recognize the features, but the body being brought out, and satisfactorily proved to be that of the Sultaan, was conveyed in a palankeen to the palace, where it was again recognized by the eunuchs and other servants of the family.

When Tippoo was brought from under the gateway, his eyes were open, and the body was so warm, that for a few moments Colonel

Wentley and myself were doubtful whether he was not alive: on feeling his pulse and heart, that doubt was removed. He had four wounds, three in the body, and one in the temple, the ball having entered a little above the right ear, and lodged in the cheek. His dress consisted of a jacket of fine white linen, loose drawers of flowered chintz, with a crinfort cloth of silk and cotton round his waist, a handsome pouch, with a red and green silk belt hung across his shoulder; his head was uncovered, his turban being lost in the confusion of his fall, he had an amulet on his arm, but no ornament whatever.

Tippoo was of a low stature, corpulent, with high shoulders, and a short thick neck, but his feet and hands were remarkably small. His complexion was rather dark, his eyes large and prominent, with small arched eye-brows, and his nose aquiline. He had an appearance of dignity, or perhaps of sternness, in his countenance, which distinguished him above the common order of people.

Letter from the RAJAH JESSWONT SING, [*who died in the beginning of the year 1078*], to AURENGZEEB.

[From ORME's *Historical Fragments of Hindustan*.]

ALL due praise be rendered to the glory of the Almighty, and the munificence of your Majesty, which is conspicuous as the sun and moon. Although I your well-wisher have separated myself from your sublime presence, I am nevertheless zealous in the performance of every bounden act of obedience and loyalty. My ardent wishes and strenuous services are employed to promote the prosperity of the Kings, Nobles, Mir-

zas, Rajahs, and Rajs of the province of Hindostan, and the chiefs of Auran, Turan, Room, and Shawn, the inhabitants of the seven climates, and all persons travelling by land and by water. Thus my inclination is notorious, nor can your royal wisdom entertain a doubt thereof. Reflecting, therefore, on my former services, and your Majesty's condescension, I presume to solicit the royal attention to some circumstances,

circumstances, in which the public as well as private welfare is greatly interested.

I have been informed that enormous sums have been dissipated in the prosecution of the designs formed against me, your well-wisher, and that you have ordered a tribute to be levied to satisfy the exigencies of your exhausted treasury.

May it please your Majesty, your royal ancestor Mubombed Jelaul-Deen Akbar, whose throne is now in heaven, conducted the affairs of this empire in equity and firm security for the space of fifty-two years, preserving every tribe of men in ease and happiness, whether they were followers of Jesus, or of Moses, or of David, or Mubombed J., were they Brahmans, were they of the sect of Dharmans, which denies the eternity of matter, or of that which ascribes the existence of the world to chance, they all equally enjoyed his clemency and favour; inasmuch that his people, in gratitude for the indiscriminate protection he afforded them, distinguished him by the appellation of *Jaggu* (Guardian of Mankind).

His Majesty Mubombed Noor-ul-Deen Jehangier, likewise, whose dwelling is now in Paradise, extended, for a period of twenty-two years, the shadow of his protection over the heads of his people, successful by a constant fidelity to his allies, and a vigorous exertion of his arm in business.

Not less did the illustrious Shah Jehan, by a propitious reign of 32 years, acquire to himself immortal reputation, the glorious reward of clemency and virtue:

Such were the benevolent inclinations of your ancestors. Whilst they pursued these great and generous principles, wheresoever they directed their steps, conquest and prosperity went before them, and

then they reduced many countries and fortresses to their obedience.

During your Majesty's reign, many have been alienated from the empire, and the loss of territory must necessarily follow, and devastation and rapine now universally prevail without restraint. Your subjects are trampled under foot, and every province of your empire is impoverished, depopulation spreads, and difficulties accumulate. When indignance has reached the habitations of the Sovereign and his Princes, what can be the condition of the Nobles? As to the Sudry, they are in murmurs; the merchants complaining, the Mahomedans discontented, the Hind is destitute, and multitudes of people, wretched even to the want of their nightly meal, are beating their heads throughout the day in desperation.

How can the dignity of the Sovereign be preserved who employs his power in exacting heavy tributes from a people thus miserably reduced? At this juncture it is told from east to west, that the Emperor of Hindustan, jealous of the poor Hindû devotee, will exact a tribute from Brahmans, Sanathis, Jogies, Berawghies, Sonadées, that, regardless of the illustrious honour of his Timurean race, he condescends to exercise his power over the solitary inoffensive anchorite. If your Majesty places any faith in those books, by distinction called divine, you will there be instructed, that God is the God of all mankind, not the God of Mahomedans alone. The Pagar and the Musulman are equal, in his presence. Distinctions of colour are of his ordination. It is he who gives existence. In your temples, to his name the voice is raised in prayer, in a house of images, where the bell is shaken, still he is the object of adoration. To vilify the religion or customs of
other

other men, is to set at nought the pleasure of the Almighty. When we deface a picture, we naturally incur the resentment of the painter, and justly has the poet said, "Presume not to arraign or scrutinize the various works of power divine."

In fine, the tribute you demand from the Hindûs is repugnant to justice; it is equally foreign from good policy, as it must impoverish the country, moreover, it is an innovation and an infringement of the laws of Hindustân. But if zeal for your own religion hath induced you to determine upon this measure, the demand ought, by the rules of equity, to have been made first upon

RAMSING, who is esteemed the principal among the Hindûs, then let you yet wisher be called upon, with whom you will have less difficulty to encounter: but, to torment ants and flies, is unworthy of a heroic or generous mind. It is wonderful that the Ministers of your Government should have neglected to instruct your Majesty in the rules of rectitude and honour.

[The translation of this spirited and elegant letter was made and given to us by Mr. C. Boughton Rouse, now Sir Charles William Reuse Boughton, Bart. one of the Commissioners for auditing the Public Accounts.]

A Narrative of the Reigns of the Successors of MAHOMMED, containing a Description of the Schism which took place in the Mussulman Religion, by which it became divided into two Sects, the one who assumed the Title of Sooney (or orthodox), and who branded the opposite Party with the opprobrious Epithet of Shiah (or heterodox), in consequence of their maintaining that the Sovereign Imamut belongs by right exclusively to the Descendants of Ally.

(From the BIBLIOTHEQUE ORIENTALE.)

WHEN the death of Mahommed became divulged, a party in the city of Medina, who were distinguished by the title of *Ansar*, signifying protectors, on account of their having protected Mahommed in his retreat to their city, assembled together for the purpose of electing a successor, when they were about to nominate *Saud* one of their compatriots for this dignity, their assembly was joined by several of the principal men of Mecca, who had accompanied Mahommed in his retreat; and on account of their having been driven out of their

city, they were from that circumstance called *Mobageroun* (or refugees): the latter remonstrated against the election of *Saud*, and observed that they also had an equal right to nominate a successor; but sooner than divide Mussulmanism into two factions, which would ultimately tend to its destruction, they, rather than avail themselves of their privilege, would prefer that a successor should be elected by the unanimous consent of all Mahommedans, without having recourse to the distinction of protectors or refugees. Great altercation ensued, and the debate

their places of abode, as *Subscribers*, at Mr DEBRETTS. Those who are willing to go to the additional expence, may have their Plates coloured from the originals; but it is requested that they will be careful to mention this at the time of subscribing. Price to Subscribers, 3l 3s plain; or 6l 6s. coloured;—to Non-Subscribers, 3l. 13s 6d plain, or 7l. 7s. coloured.

LAWS OF MOSES.

Mr HINDLEY also proposes to print, by Subscription, *The Laws of Moses*, in Persian, arranged from the celebrated Version of the Pentateuch by Rabbi Yâcûb Ben Yûsuf Tavor, and printed in the Ta'lik Character, for the use of the Biblical Student, and of Gentlemen in the Service of the Honourable East India Company in Asia, intended to facilitate the comparison of the *Mosaic Code* with the ancient *Sanscrit* or *Brahmanic* records among the native *Pundits*, and other Asiatics learned in the *Hindû Scriptures*.

One Guinea will be the price of the Volume to Subscribers, who are requested to leave their names and places of abode with Mr DEBRETT, as soon as possible.

THE INDIAN SPORTSMAN.

A PROSPECTUS of a Series of Designs, to be intitled *The Indian Sportsman*, is just circulated. This novel and interesting Work is now proceeding under the care and direction of an Officer who has served upwards of twenty years in Bengal. It is admitted, by a number of Gentlemen who have resided there, to be a most faithful delineation, not only of the Sports in general, but of the Costume of the Natives, as well as of the Appearance of the Country, &c.

Judging from the high encomiums bestowed upon this work, and the subscriptions with which it has already been honoured, its circulation may be expected to be considerable. The Plates are all 18 inches by 13, and will be aquatinted and coloured in such a manner as to imitate the Drawings as closely as possible, which, of course, must render them highly ornamental for furniture, as well as suited to the folio, or to bind in volume. The whole will be published in Pairs, with all possible expedition. Price to Subscribers, Two Guineas per pair, payable on delivery. Ladies and Gentlemen may subscribe for any number, or for any Plates they may select.

The whole of the Drawings are expected to be complete by the end of April; before which period, some of the Plates will, in all probability, be published. The first impressions will be delivered to the earliest subscribers, who are requested to leave their names with Mr DEBRETT.